

# Community Development Block Grant Certified Administrator Training

December 1-2, 2020



**OKLAHOMA**  
Commerce





Welcome future CDBG Administrators:

---

Please SIGN-IN by providing your  
name and email in the CHAT BOX



## Community Development Division – CDBG Staff Contact Information

Alicia Hibbets, Director of Programs-Monitoring  
(405)815-5385

Christy Davis, Project Manager  
(405)215-5395 / Contracts A-K

Dekoven Edwards, Project Manager  
(405)215-6176 / Contracts L-Z

Kellon Dixon, Planner  
CDBG-CV1 for Small Cities  
(405)215-5626

Debbie Wade, Project Coordinator  
(405)549-0852

Robin Slawson, Senior Program Monitor  
CDBG-EDIF / 2013 Disaster Recovery  
(405)815-5341

Cody Butler, OKGrants Management System  
(405)213-8667

OKLAHOMA DEPARTMENT OF COMMERCE  
COMMUNITY DEVELOPMENT BLOCK GRANT  
CERTIFIED ADMINISTRATOR TRAINING

DECEMBER 1, 2020  
VIRTUAL ZOOM MEETING

AGENDA

8:30 – 8:45	Sign – In, Greeting & Introductions	Debbie Wade
8:45 – 9:30	Grant Administration/Management Guide/OKGrants	Kellon Dixon
9:30 – 12:00	Preparing the Environmental Review (ROF) Requirement 401 & Requirement 403	Robin Slawson
12:00 – 1:00	Lunch (1:00 sign-in with Name into CHAT)	Debbie Wade
1:00 – 2:00	Environmental Review RROF Checklist (overview)	Robin Slawson
2:00 – 3:00	Fair Housing, Civil Rights, Section 3, Section 504, Requirement 404	Christy Davis/Debbie Wade
3:00 – 4:00	Procurement Requirement 405	Dekoven Edwards
4:00 – 4:30	Overview/Q & A**	Kellon Dixon/Everyone
4:30	Adjourn	

\*\*PLEASE PUT ANY QUESTIONS IN THE CHATBOX FOR DISCUSSION



# Community Development Block Grant

Grant Administrator

Roles and Responsibilities



# The Importance of Administrator Training

---

Must be certified to get hired

HUD guidance may change

Updates to ODOC policies and procedures

Opportunities to gain further insight by networking

Become familiar with ODOC CDBG Project Manager

# Administrator Responsibilities

---

- Public Hearings
  - Two hearings held during project, at application and closeout.
- Environmental Review
  - All projects will require clearance and forms will need to be uploaded to OKGrants
- Release of Funds
- Request for Funds (advance or drawdown request)
- Monthly Expenditure Report (MER)
- Project Files
  - Stay on track of your project by maintaining organized records. There will be two copies of records; grant administrator records and those that need to be kept by the sub-recipient.
- Land Acquisition, if applicable

# Administrator Responsibilities

---

- Bid Documents
  - Ensure correct information is provided to contractors for bidding purposes.
  - Maintain records for Notice of Award, pre-construction conference, and notice to proceed
- Weekly Payrolls (construction)
  - Includes reviewing weekly payrolls for Davis Bacon compliance, on-site interviews
- Closeout Documents
  - Assist with ODOC monitoring before closeout
  - Assist in submitting final documents for review/approval by ODOC before closeout
- Economic Development projects
  - Job Tracking & quarterly reporting

# Procurement Requirements

---

Must be CDBG certified

Avoid Self-Procurement

- Self-Procurement Warning- Any certified administrator who engages in the following will be **de-certified**:
  - Assisting the sub-recipient in the procurement process to gain an advantage in being selected for services
  - Not charging a fee to prepare a CDBG application in order to get hired

# Administrator Fee Schedule

- The following schedule may vary depending on the CDBG set aside (ex. Water/Wastewater vs Capital Improvement Planning) so be sure to review contract between ODOC and Sub-recipient. For most set asides you will use the following administrator fee schedule:

20%	Release of Funds achieved within 120 days
5%	Release of Fund achieved after 120 days
20%	Construction started within 270 days
5%	Construction started after 270 days
40%	Construction as project funds are expended (pro rata)
20%	Submission and acceptance of Final Closeout documents

*\*20% of activity delivery costs (administrator fees) can be released only IF the release of funds has been obtained within 120 days. Otherwise, only 5% can be released IF after 120 days.*



# Administrator Fee Schedule

---

## Capital Improvement Planning (CIP)

- Up to one-third ( $1/3$ ) of the total grant amount shall be available after the contract has been executed.
- Up to one-third ( $1/3$ ) of the total grant amount shall be available after the CIP project fieldwork has been completed.
- The balance shall be available at the end of the CIP project.

# OKGrants

---

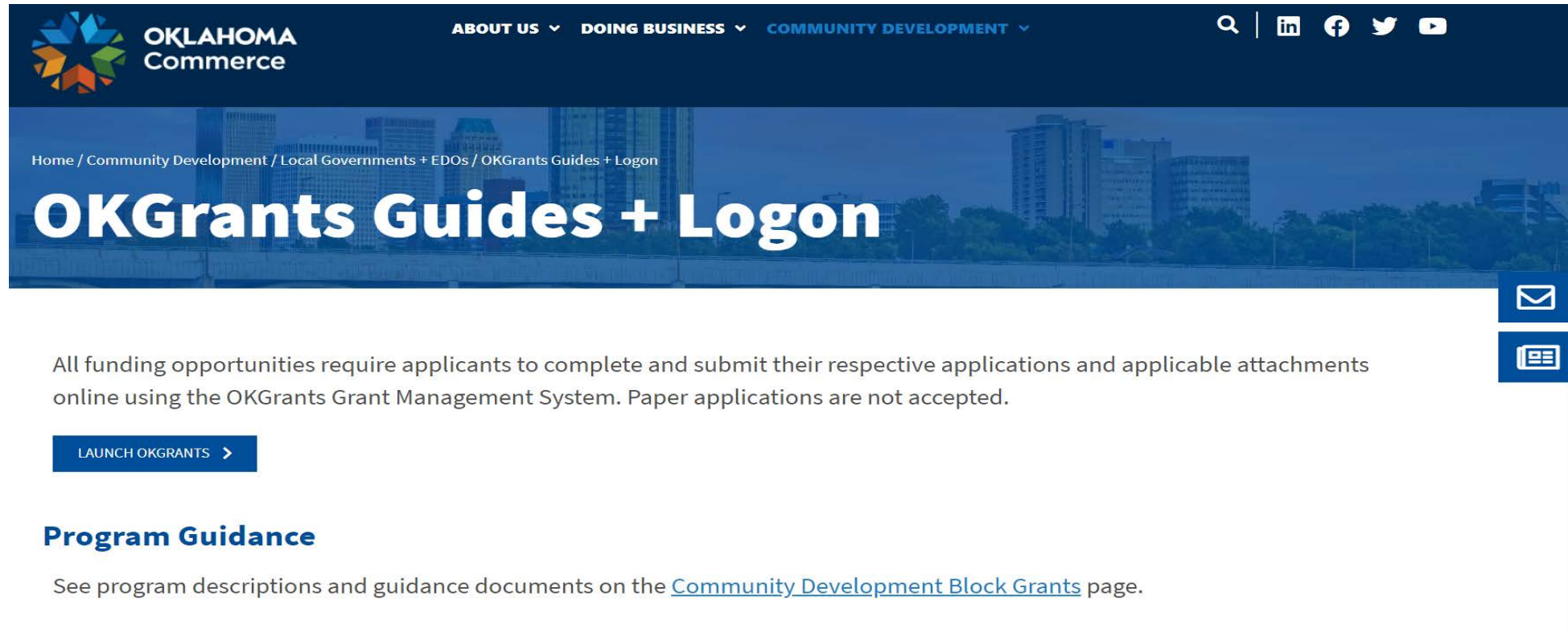
The OKGrants system is required for each of the following:

- Application submission
- Implementation of entire CDBG project (ex. Release of funds, Advance request, monthly expenditure reports, contract/budget modifications)
- Closeout

Step-by-step walkthroughs can be obtained from within the OKGrants system or on our website [okcommerce.gov](http://okcommerce.gov)

- [OKGrants Guides](#)

# OKGrants



The screenshot shows the Oklahoma Commerce website header with the logo and navigation menu. The breadcrumb trail reads: Home / Community Development / Local Governments + EDOs / OKGrants Guides + Logon. The main heading is "OKGrants Guides + Logon". Below this, a paragraph states: "All funding opportunities require applicants to complete and submit their respective applications and applicable attachments online using the OKGrants Grant Management System. Paper applications are not accepted." A blue button labeled "LAUNCH OKGRANTS >" is present. The "Program Guidance" section follows, with text linking to the "Community Development Block Grants" page. On the right side of the page, there are two blue buttons: one with an envelope icon and another with a document icon.

OKLAHOMA  
Commerce

ABOUT US ▾ DOING BUSINESS ▾ COMMUNITY DEVELOPMENT ▾

Home / Community Development / Local Governments + EDOs / OKGrants Guides + Logon

## OKGrants Guides + Logon

All funding opportunities require applicants to complete and submit their respective applications and applicable attachments online using the OKGrants Grant Management System. Paper applications are not accepted.

LAUNCH OKGRANTS >

### Program Guidance

See program descriptions and guidance documents on the [Community Development Block Grants](#) page.

<https://www.okcommerce.gov/community-development/local-governments-edos/okgrants-guides-logon/>

# OKGrants

<https://www.youtube.com/watch?v=4F64LPxZvp4>






## Resources






### Program Guidance

See program descriptions and guidance documents on the [Community Development Block Grants](#) page.

### Module Walkthroughs

-  Contract Modification
-  Request for Funds
-  Reimbursement Claim
-  Expenditures
-  Grant Monitoring
-  Closeout

### Guides + Manuals

-  CDBG Project Management Guide  
CDBG Manual
-  OKGrants for New Users  
A brief presentation providing an introduction to the Grant Management System.
-  OKGrants FAQ/Troubleshooting  
A selection of answers and hints for the most common questions and issues.
-  Status Glossary  
A breakdown of the various document statuses and their meanings.
-  OKGrants Subgrantee User Manual  
An in-depth look at the processes and capabilities of the Grant Management System.

For questions regarding the OKGrants Grant Management System contact Cody Butler at 405-213-8667 or [cody.butler@okcommerce.gov](mailto:cody.butler@okcommerce.gov).

# Who should you contact?

---

For any questions related to application requirements contact a program planner:

- Karen Adair
  - Water and Wastewater
  - Small Cities
  - Economic Development
- Steven Hoover
  - Community Revitalization
  - Rural Economic Action Plan (REAP)
  - Water and Wastewater
- Mike Sexton
  - Capital Improvement Planning

# Who should you contact?

---

For any questions related to project implementation contact an ODOC CDBG Project Manager

- Christy Davis                      A-K
- Dekoven Edwards                L-Z
- Robin Slawson                    EDIF



# Certified CDBG Administrators Directory

---

Updated regularly to ensure compliance

Must attend at least one CDBG Continuing Education each year to retain certificate (usually held in April and October).

[Administrator Directory](#)

# Requirement 401 & 403

Release of Funds &  
Removal of Contract  
Conditions



# HUD Environmental Regulations

## [24 CFR Part 50: Protection and Enhancement of Environmental Quality](#)

This is HUD's basic regulation that implements the National Environmental Policy Act (NEPA), the regulations of the Council on Environmental Quality (CEQ), and other related Federal environmental laws and authorities. It applies to environmental reviews performed by HUD.

## [24 CFR Part 51: Environmental Criteria and Standards](#)

This regulation provides environmental standards for determining project acceptability and necessary measures to insure that activities assisted by HUD achieve the goal of a suitable living environment. The environmental criteria include noise abatement and control, and the siting of HUD-assisted projects near hazardous operations including explosives, flammables, runway clear zones at civil airports, and accident potential zones at military airfields.

[24 CFR Part 55: Floodplain Management and Wetlands Protection](#) - This is HUD's regulations that implements the executive order on development in floodplains.

[78 FR 68719 - Floodplain Management and Protection of Wetlands](#) - On 11/15/2013, HUD published a new rule on the regulations governing the protection of wetlands and floodplains. With respect to wetlands, the rule codifies existing procedures for Executive Order 11990, Protection of Wetlands. 24 CFR Part 55 previously did not cover wetlands protection.

## [24 CFR Part 58: Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities](#)

The procedures outlined in this regulation are used by entities that assume HUD's environmental review responsibilities in determining program compliance with the intent of the National Environmental Policy Act (NEPA) and other related statutes. Applicable HUD programs under this regulation include only those in which a specific statute allows governing entities to assume the Federal responsibility.

<https://www.hudexchange.info/programs/environmental-review/environmental-review-training/#related-laws-and-authorities>

# Preparation of Environmental Review

- Obligating or Expending funds on a proposed project prior to the Environmental Review process is an ineligible use of contract funds, this includes ALL funds provided toward the project. The entire project site must be reviewed and project must obtain Environmental Clearance, a Release of Funds Approval, and provided the “Authority to Use Grant Funds” by ODOC.
- 120 days (approx. 4 months) from CDBG Contract Start date, to complete Environmental Review and Request a “Release of Funds” from ODOC. However, the Environmental Review for projects involving federal funds like CDBG should begin the process ASAP.
- NEPA, Part 50 and Part 58, related laws and authorities (Refer to May 2014 Handbook of Laws for Environmental Compliance located on <https://www.okcommerce.gov/wp-content/uploads/CDBG-Environmental-Compliance-Handbook.pdf>)
- IMPORTANT – HUD’s regulations at 24 CFR 58.22 prohibit grant recipients and their partners from committing or spending HUD or non-HUD funds on any activity that **could** have an **adverse** environmental impact or limit the choice or reasonable alternatives prior to completion of an environmental review once a project has become “federal”. This prohibition on “choice-limiting actions” prohibits physical activity, including acquisition, rehabilitation, and construction, as well as contracting for or committing to any of these actions. (Please refer to this regulation for further guidance.)

# Level of Review

**PROJECT DESCRIPTION** capturing the maximum anticipated scope of the proposed project not just a single activity that the grant funds are going toward (See regulation 58.32 for project aggregation). Provide a legal description and maps identifying area. (Refer to Engineering Report and/or community information.)

**LEVEL OF REVIEW** – Once the scope of the project is known, you can determine the appropriate level of review. There are **five** levels of review:

1. EXEMPT – For activities listed at 24 CFR 58.34(a)
2. CENST - Categorically Excluded from NEPA, not subject to 58.5 or 50.4 – For activities listed at 24 CFR 58.35(b) and 50.19(b)
3. CEST – Categorically Excluded from NEPA, but subject to related laws and authorities at 58.5 or 50.4 – **WORKSHEETS** (possibly convert project to exempt) – For activities listed at 24 CFR 58.35(a) and 50.20(a)
4. EA – Environmental Assessment – this includes all other projects that **cannot be determined** as Categorically Excluded or Exempt in Part 58 and Part 50.
5. EIS – Environmental Impact Statement – Required when an Environmental Assessment concludes in a **FINDING OF SIGNIFICANT IMPACT**. Mostly found when Noise Levels exceed 75 decibels or a project involves 2,500 or more housing units or beds. Refer to 24 CFR 58.37; 50.42; 58.2(a)(3)

Type of CDBG Application: (Select One)\*

- ☐ Water/Wastewater Construction
- ☐ CDBG REAP
- ☒ Community Revitalization
- ☐ Water/Wastewater Engineering (Phase I)
- ☐ Water/Wastewater Construction (Phase II)
- ☐ CIP – Capital Improvement Planning
- ☐ Small Cities

Grant Request Amount

\$150,000.00\*

Brief Description of Project

This project is to construct ADA restrooms, install septic system for restrooms, install electrical for restrooms and general area, construct ADA & general public parking & improve the road at County Fair Show Barn. This is a large show barn without restroom facilities or good public parking. In order to made the area accessible and safe for ADA persons and the general public the county is planning to upgrade the rood, parking and install fire protection as required by the State Fire Marshal .

500 of 1000



OKCommerce.gov

<https://www.okcommerce.gov/community-development/local-governments-edos/community-development-block-grant-programs/>

### CDBG Project Management Guide

- This guide works best when opened using Firefox program for access to all forms

<https://www.okcommerce.gov/community-development/local-governments-edos/community-development-block-grant-programs/>

### HUD Environmental Compliance Training

<https://www.okcommerce.gov/wp-content/uploads/CDBG-Environmental-Compliance-Training.pdf>

### Environmental Compliance Regulation Handbook (2014)

<https://www.okcommerce.gov/wp-content/uploads/CDBG-Environmental-Compliance-Handbook.pdf>



## Resources

### Certified CDBG Administrators Directory

The directory lists all administrators certified by the Oklahoma Department of Commerce. Only certified administrators may be hired by CDBG grantees.



Administrators Directory

### Environmental Review

An Environmental Review process determines whether a CDBG project meets federal, state, and local environmental standards and is required for all HUD-assisted projects. Not every project is subject to a full Environmental Review, but every project must be in compliance with the National Environmental Policy Act (NEPA).



CDBG Environmental Compliance Handbook



CDBG Environmental Compliance Training

### Davis Bacon Principles

The information provided in this presentation was provided to us by The Department of Labor as a public service. This information and related materials are presented to give the public access to information on The Department of Labor programs in relation to Davis Bacon and other relevant data. This presentation is intended as general information only and does not carry the force of legal opinion.



Davis Bacon Principles

### Project Management Guide

The Community Development Block Grant (CDBG) Project Management Guide is designed for practitioners of local CDBG contracts. By using this manual, grantees will be able to complete a project according to the contract, state, and federal guidelines.



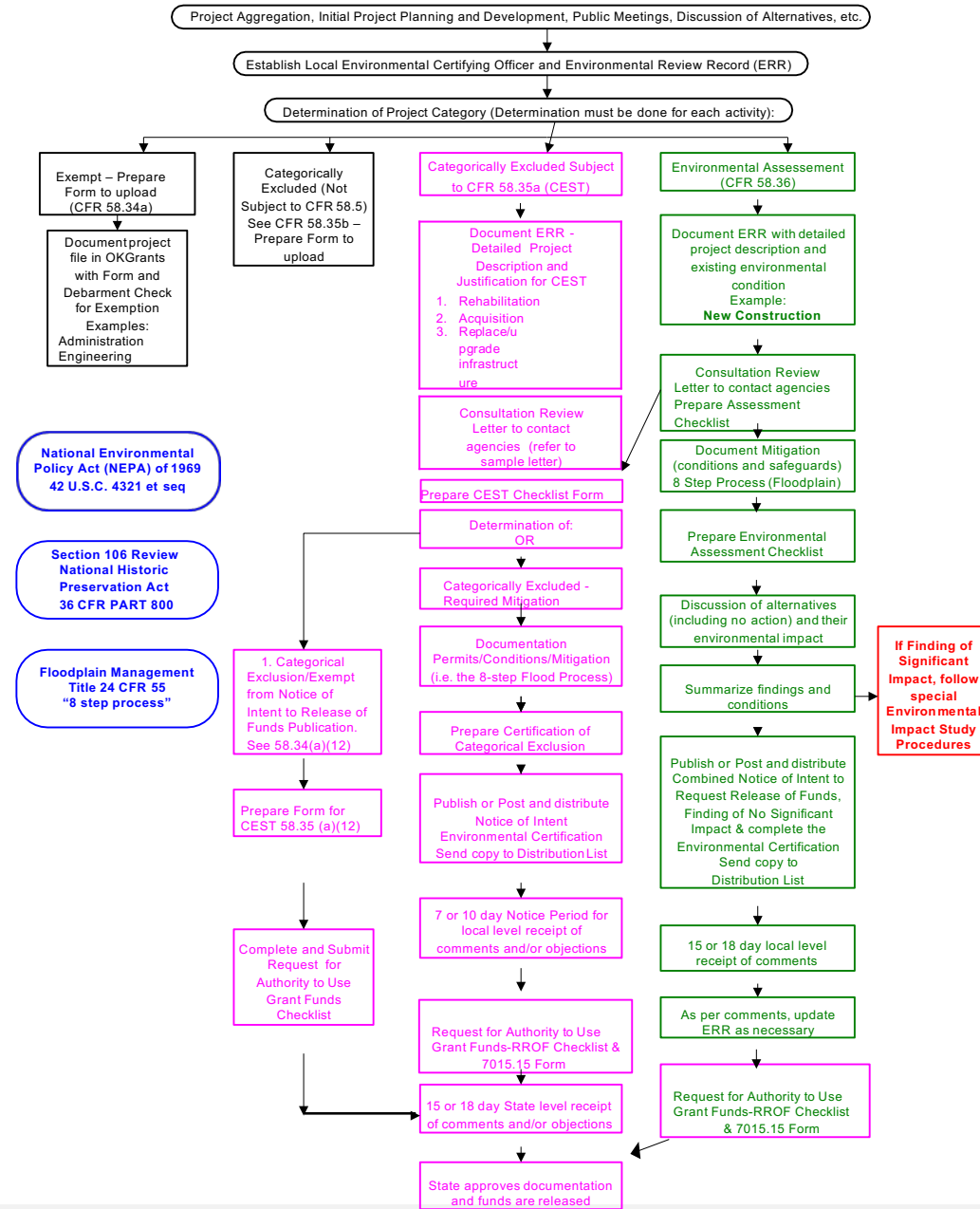
CDBG Project Management Guide

### Section 3

The Section 3 program requires that recipients of certain HUD financial assistance, to the greatest extent possible, provide training, employment, contracting and other economic opportunities to low- and very low-income persons, especially recipients of government assistance for housing, and to businesses that provide economic opportunities to low and very low-income persons.

Section 3 Opportunity Portal — For compliance with HUD regulations, ODOC encourages that Section 3 residents and Section 3 employers visit the [Section 3 Opportunity Portal](#) to search or post jobs.

## Flowchart for Environmental Review Procedures (24 CFR Part 58)



**Environmental Review**  
**for Activity/Project that is Exempt or**  
**Categorically Excluded Not Subject to Section 58.5**  
Pursuant to 24 CFR Part 58.34(a) and 58.35(b)

**Project Information**

Project Name:

Responsible Entity:

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer:

Certifying Officer Name and Title:

Consultant (if applicable):

Project Location:

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:

Engineering design, inspection services for water project.  
Administrative Services

Level of Environmental Review Determination:

- ☐ Activity/Project is Exempt per 24 CFR 58.34(a): \_\_\_\_\_
- ☐ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b): \_\_\_\_\_

(3) Administrative costs;  
(9) Engineering Design Costs

**Funding Information**

Grant Number	HUD Program	Funding Amount

Estimated Total HUD Funded Amount:

This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable):

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

**Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6</b>		
<b>Airport Runway Clear Zones and Accident Potential Zones</b>  24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input type="checkbox"/>	
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input type="checkbox"/>	
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input type="checkbox"/>	

Exempt Activities – Debarment Review is required on all Professional Services Contracts paid with CDBG funds.  
Completed forms should be submitted in OKGrants with Exempt form.

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title/Organization: \_\_\_\_\_

Responsible Entity Agency Official Signature:

\_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: \_\_\_\_\_

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref. 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

## 24 CFR 58.6 - REQUIREMENTS FOR COMPLIANCE

### **APPLIES TO ALL LEVELS OF REVIEW** **– LOCATED ON EACH FORM**

- Airport Clear Zones
- Coastal Barrier Resources
- Flood Insurance

### **Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6</b>		
<b>Airport Runway Clear Zones and Accident Potential Zones</b>  24 CFR Part 51 Subpart D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>N/A This Activity is not a purchase or sale of an existing property.</b>
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>N/A Oklahoma is not in a Coastal Barrier Resource Area.</b>
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>N/A Oklahoma Does NOT require Flood Insurance as the State of Oklahoma is a Federal Formulated Grant Funded State from the US Dept. of Housing and Urban Development per 24 CFR Part 58.6(a)(3)</b>

<https://www.hudexchange.info/resources/documents/Part-58-Exempt-CENST.docx>

<https://www.hudexchange.info/resources/documents/Part-58-CEST-Format.docx>

<https://www.hudexchange.info/resources/documents/Part-50-CEST-Format.docx>

<https://www.hudexchange.info/resources/documents/SampleNoticeNOI-RROF.doc>

## Description

These worksheets contain the suggested format for documenting compliance with environmental requirements covered by related federal laws and authorities. This documentation should be included in the Environmental Review Record.

## Resource Links

- [Air Quality - Worksheet](#) (DOCX)
- [Airport Hazards - Worksheet](#) (DOCX)
- [Coastal Barrier Resources - Worksheet](#) (DOCX)
- [Coastal Zone Management - Worksheet](#) (DOCX)
- [Endangered Species - Worksheet](#) (DOCX)
- [Environmental Justice - Worksheet](#) (DOCX)
- [Explosive and Flammable Facilities - Worksheet](#) (DOCX)
- [Farmlands Protection - Worksheet](#) (DOCX)
- [Flood Insurance - Worksheet](#) (DOCX)
- [Floodplain Management - Worksheet](#) (DOCX)
- [Historic Preservation - Worksheet](#) (DOCX)
- [Noise Abatement and Control \(CEST\) - Worksheet](#) (DOCX)
- [Noise Abatement and Control \(EA\) - Worksheet](#) (DOCX)
- [Site Contamination \(Single Family\) - Worksheet](#) (DOCX)
- [Site Contamination \(Multi-Family\) - Worksheet](#) (DOCX)
- [Sole Source Aquifers - Worksheet](#) (DOCX)
- [Wetlands Protection - Worksheet](#) (DOCX)
- [Wild and Scenic Rivers - Worksheet](#) (DOCX)

NOTE: Worksheets are used as tool for guidance in preparing and completing the review process for compliance, that in conclusion, the proposed improvements will not cause harm to any of the protected resources. The worksheets are required for completion and submission in OKGrants with all applicable forms for review by ODOC before funds can be used for the activity, i.e., Release of Funds.



## Related Federal Laws and Authorities

Choose a topic below to learn more about HUD environmental review compliance with Federal related laws and authorities listed at 24 CFR 50.4, 58.5, and 58.6.

Find by Topic



Air Quality



Airport Hazards



Coastal Barrier Resources



Site Contamination



Sole Source Aquifers



Coastal Zone Management



Endangered Species



Environmental Justice



Wetlands Protection



Wild and Scenic Rivers



Explosive and Flammable  
Facilities



Farmlands Protection



Flood Insurance



Floodplain Management



Historic Preservation



Noise Abatement and Control

<https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/>

(Sample Request for Agency Comments letter)

City/County Letterhead

(Date)

(Environmental Review Agency)

Re: (Grant Recipient)  
(Project)

(Salutation)

(Grant Recipient) has received a Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce (ODOC) for (project). Compliance with the National Environmental Protection Act of 1969 (NEPA) and the Environmental Review Procedures for CDBG, 24 CFR 58 is required. The environmental review must cover the following areas: Historic Properties, Floodplains, Wetlands, Noise, Manmade Hazards, Air Quality, Water Quality, Endangered Species, Farmlands protection, Wild and Scenic Rivers, Solid Waste, Fish and Wildlife, Environmental Justice and tribal interests.

A detailed project description and a location map of the project are enclosed. The (Grant Recipient) has determined that this project will have no significant impact on environmental impacts of concern to (historic properties, endangered species etc.). Please reply with your concurrence or non-concurrence of our determination.

Your immediate attention to this request will be appreciated. If you have any questions or need additional information, please contact (name of contact person) at (telephone number).

Sincerely,

(Name of Sender)  
(Title of Sender)

Attached:  
Project Description and Project Site Location Map

U.S. Environmental Protection Agency  
Region 6, 1201 Elm Street, Ste. 500, Dallas, Texas 75270  
<https://www.epa.gov/greeningepa/region-6-office>

U.S. Fish and Wildlife Service  
9014 E, 21<sup>st</sup> Street, Tulsa, OK 74129  
<https://www.fws.gov/southwest/es/oklahoma/>

State Historic Preservation Office  
Oklahoma Historical Society, 800 Nazih Zuhdi Drive, Oklahoma City, OK 73105  
<https://www.okhistory.org/shpo/shpom.htm>  
List of Oklahoma Tribes can be found at <https://egis.hud.gov/tdat/> and as Attachment 29

Oklahoma Conservation Commission  
2800 N. Lincoln Blvd., Suite 200, Oklahoma City, OK 73105  
<https://www.ok.gov/conservation/>

USDA Natural Resources Conservation Service (See website for State and Local Contacts)  
<https://www.nrcs.usda.gov/wps/portal/nrcs/site/national/home/>

Oklahoma Archaeological Survey  
111 East Chesapeake St., Norman, OK 73019-5111  
<http://www.ou.edu/archsurvey/contact>

U.S. Army Corps of Engineers – Tulsa District (See website for Regulatory and Flood Plain Management contacts)  
2488 E 81<sup>st</sup> Street, Tulsa, OK 74137  
<https://www.swt.usace.army.mil/Contact/>

Federal Emergency Management Agency  
Region VI, Federal Center, 800 North Loop 288, Denton, TX 76209-3698  
<https://www.fema.gov/region-vi-arkansas-louisiana-new-mexico-oklahoma-texas>  
FEMA Map Service Center - <https://msc.fema.gov/portal/home>

Oklahoma Department of Environmental Quality (See website for contact information to Air & Water Quality)  
707 N. Robinson, Oklahoma City, OK 73102, 405-702-0100  
<https://www.deq.ok.gov/deq-contacts/>

Oklahoma Scenic Rivers Commission  
P.O. Box 292, Tahlequah, OK 74465  
[https://www.owrb.ok.gov/ISF/OSRC\\_Rivers\\_Act\\_Unofficial.pdf](https://www.owrb.ok.gov/ISF/OSRC_Rivers_Act_Unofficial.pdf)  
<https://www.hudexchange.info/programs/environmental-review/wild-and-scenic-rivers/>

<https://www.hudexchange.info/programs/environmental-review/floodplain-management/>

Executive Order 11988 - Floodplain Management requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs).

***100-year floodplain*** means the floodplain of concern for this part and is the area subject to a one percent or greater chance of flooding in any given year. The area is designated on a Flood Insurance Rate Map (FIRM) under FEMA regulations as Zone A1–30, AE, A, AH, AO, AR, or A99.

**If the project occurs in a 100-year floodplain (A Zone), an 8-Step Process** is required unless it is inapplicable per 55.12(b) or if the **5-Step Process** is applicable per 55.12(a).

**If the project occurs in a 500-year floodplain (B Zone or shaded X Zone), the 8-Step Process** is required for critical actions unless it is inapplicable per 55.12(b) or if the 5-Step Process is applicable per 55.12(a). If the project occurs in a floodway, federal assistance may not be used at this location unless the project is a functionally dependent use or a 55.12(c) exception applies. **The 8-Step Process** is required.

<https://www.hudexchange.info/course-content/hud-environmental-training6/HUD-Environmental-Training-Wetlands-Floodplains-Flood-Insurance-Sole-Source-Aquifers-CZMA-and-CBRA.pdf>

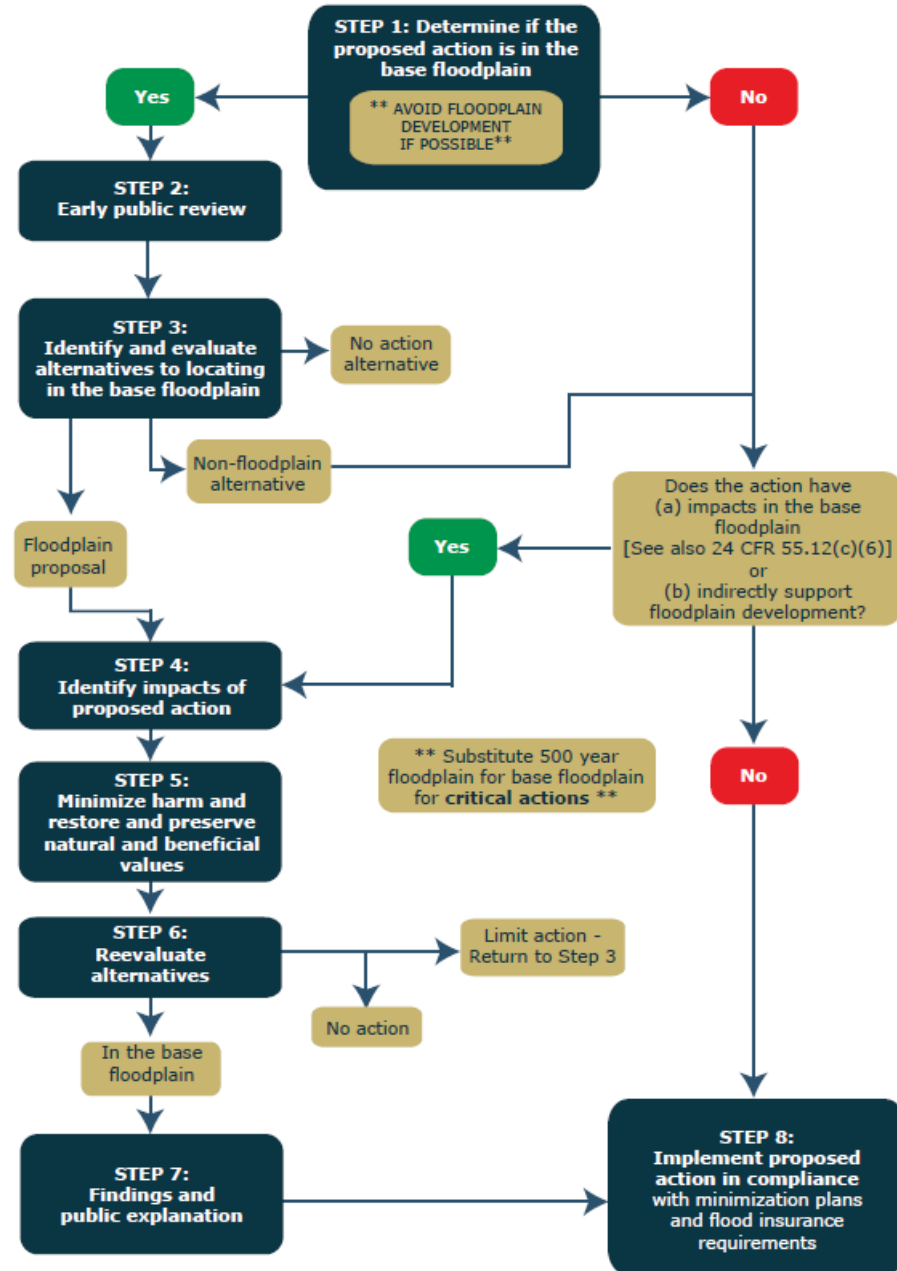


Type of proposed action (new reviewable action or an amendment) <sup>1</sup>	Type of proposed action			
	Floodways	Coastal high hazard areas	Wetlands or 100-year floodplain outside coastal high hazard area and floodways	Non-wetlands area outside of the 100-year and within the 500-year floodplain
Critical Actions as defined in §55.12(b)(2)	Critical actions not allowed.	Critical actions not allowed.	Allowed if the proposed critical action is processed under §55.20. <sup>2</sup>	Allowed if the proposed critical action is processed under §55.20. <sup>2</sup>
Noncritical actions not excluded under §55.12(b) or (c)	Allowed only if the proposed non-critical action is a functionally dependent use and processed under §55.20. <sup>2</sup>	Allowed only if the proposed noncritical action is processed under §55.20 <sup>2</sup> and is (1) a functionally dependent use, (2) existing construction (including improvements), or (3) reconstruction following destruction caused by a disaster. If the action is not a functionally dependent use, the action must be designed for location in a Coastal High Hazard Area under §55.1(c)(3)	Allowed if proposed noncritical action is processed under §55.20. <sup>2</sup>	Any noncritical action is allowed without processing under this part.

<sup>1</sup>Under Executive Order 11990, the decision-making process in §55.20 only applies to Federal assistance for new construction in wetlands locations.

<sup>2</sup>Or those paragraphs of §55.20 that are applicable to an action listed in §55.12(a).

## 8- Step Decision-Making Process for Executive Order 11988



<https://msc.fema.gov/portal/home>

# FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates: ?

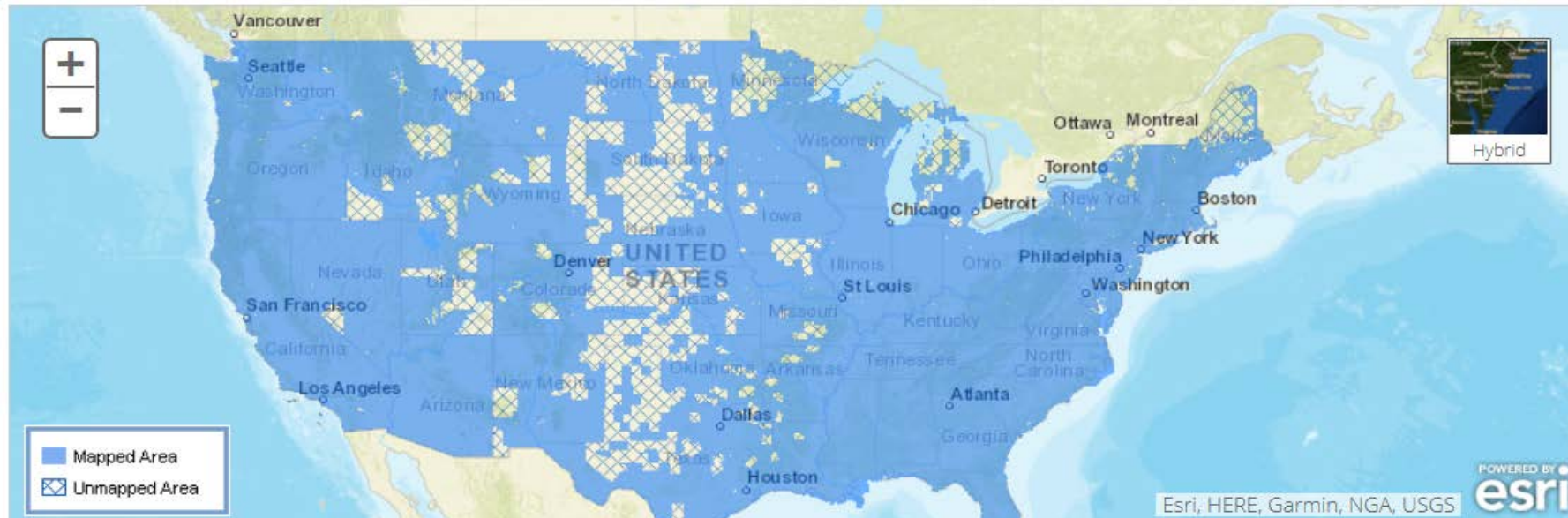
900 N. Stiles Ave., Oklahoma City, OK 73104

Search



To find your flood map, enter an address, a place, or a set of longitude/latitude coordinates. The map will zoom in and show the boundaries of the flood map for the chosen location. You can also use the map to navigate to a place of interest using the pan and zoom functions. When a specific flood map is selected, view and download options for that map will appear.

## Locator Map







**FIRM**  
FLOOD INSURANCE RATE MAP  
OKLAHOMA COUNTY  
OKLAHOMA  
AND INCORPORATED AREAS

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS

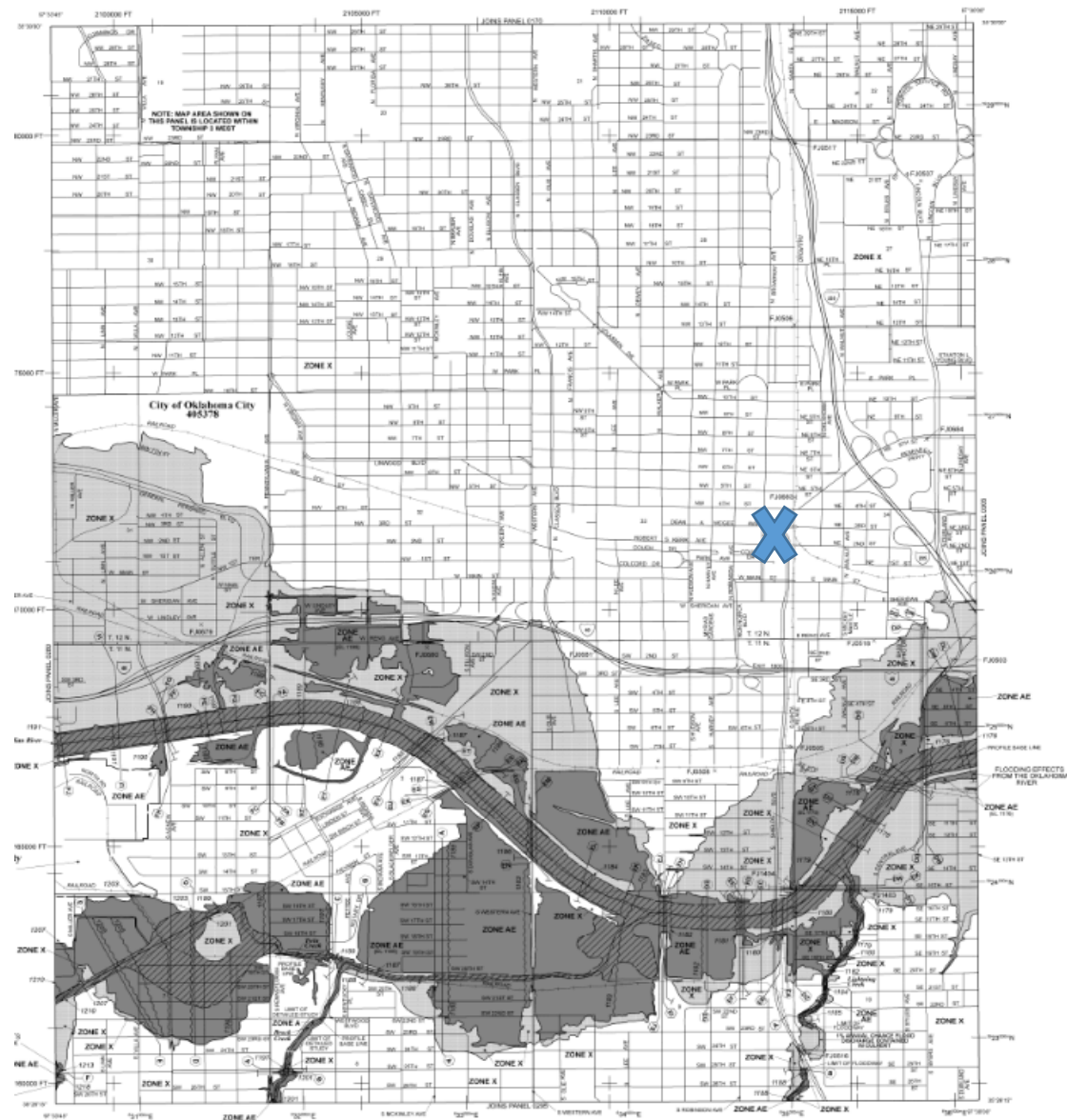
COMMUNITY	NUMBER	PANEL	SUFFIX
OKLAHOMA CITY, CITY OF	405376	3285	H
OKLAHOMA COUNTY	404498	3285	H
UNINCORPORATED AREAS			

**Notice to User:** The **Mag Number** shown below should be used when placing trap orders. The **Community Number** shown above should be used on insurance applications for the subject community.



MAP NUMBER  
40109C0285H


 REVISED DATE  
 DECEMBER 18, 2009  
 Federal Emergency Management Agency





**§55.12 Inapplicability of 24 CFR part 55 to certain categories of proposed actions. ( 5-STEP )**

(a) The decision-making steps in §55.20(b), (c), and (g) (steps 2, 3, and 7) do not apply to the following categories of proposed actions (1, 2, 3 are housing related):

*(4) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for "substantial improvement" under §55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.*

(b) The decision-making process in §55.20 shall not apply to the following categories of proposed actions:

(3) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, but only if:

(i) The property is cleared of all existing structures and related improvements;

(ii) The property is dedicated for permanent use for flood control, wetland protection, park land, or open space; and

(iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland from future development.

(4) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance, or other HUD assistance;

(5) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions;

(6) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland;

(7) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in an adjacent floodplain, including the floodway or Coastal High Hazard Area, or wetland, but only if:

(i) The proposed construction and landscaping activities (except for minor grubbing, clearing of debris, pruning, sodding, seeding, or other similar activities) do not occupy or modify the 100-year floodplain (or the 500-year floodplain for critical actions) or the wetland;

(ii) Appropriate provision is made for site drainage that would not have an adverse effect on the wetland; and

(iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland;

(8) HUD's or the responsible entity's approval of financial assistance for a project on any non-wetland site in a floodplain for which FEMA has issued:

(i) A final Letter of Map Amendment (LOMA), final Letter of Map Revision (LOMR), or final Letter of Map Revision Based on Fill (LOMR-F) that removed the property from a FEMA-designated floodplain location; or

(ii) A conditional LOMA, conditional LOMR, or conditional LOMR-F if HUD or the responsible entity's approval is subject to the requirements and conditions of the conditional LOMA or conditional LOMR;

**Early Notice and Public Review of a Proposed  
Activity in a [100-Year/500-year Floodplain or Wetland]**

**[Note: May also be combined with other notices such as state floodplain or wetland notices so long as it contains the required information]**

To: All interested Agencies **[include all Federal, State, and Local]**, Groups and Individuals

This is to give notice that **[HUD under part 50 or Responsible Entity under Part 58]** has determined that the following proposed action under **[Program Name]** and **[HUD grant or contract number]** is located in the **[100-year/500-year floodplain/wetland]**, and **[HUD or the Responsible Entity]** will be identifying and evaluating practicable alternatives to locating the action in the **[floodplain/wetland]** and the potential impacts on the **[floodplain/wetland]** from the proposed action, as required by **[Executive Order 11988 and/or 11990]**, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands. **[Describe the activity, e.g. purpose, type of assistance, the size of the site, proposed number of units, size of footprint, type of floodplain/wetland, natural and beneficial values potentially adversely affected by the activity]. [State the total number of acres of floodplains/wetland].** The proposed project(s) is located **[at addresses]** in **[Name of City]**, **[Name of County]**.

There are three primary purposes for this notice. First, people who may be affected by activities in **[floodplains/wetlands]** and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the **[floodplain/wetland]**, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about **[floodplains/wetlands]** can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in **[floodplains/wetlands]**, it must inform those who may be put at greater or continued risk.

Written comments must be received by **[HUD or Responsible Entity]** at the following address on or before **[month, day, year]** **[a minimum 15 calendar day comment period will begin the day after the publication and end on the 16<sup>th</sup> day after the publication]:** **[HUD or Responsible Entity]**, **[Address]** and **[phone number]**, Attention: **[Name of Certifying Officer or designee]**, **[Title]**. A full description of the project may also be reviewed from **[enter available office hours]** at **[address or state address is same as above]** and **[web address if available]**. Comments may also be submitted via email at **[email address]**.

Date:

**Final Notice and Public Explanation of a Proposed Activity in a [100-Year/500-year Floodplain or Wetland]**

To: All interested Agencies **[include all Federal, State, and Local]**, Groups and Individuals

This is to give notice that the **[HUD under part 50 or Responsible Entity under Part 58]** has conducted an evaluation as required by **[Executive Order 11988 and/or 11990]**, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under the **[Program Name]** under **[HUD grant or contract number]**. The proposed project(s) is located **[at addresses]** in **[Name of City]**, **[Name of County]**. **[Describe the activity, e.g. purpose, type of assistance, the size of the site, proposed number of units, size of footprint, type of floodplain/wetland, natural values]. [State the total number of acres of floodplains/wetland involved].**

**[HUD or Responsible Entity]** has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: **[List (i) ALL of the reasons why the action must take place in a floodplain/wetland, (ii) alternatives considered and reasons for non-selection, (iii) all mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values]** **[Cite the date of any final or conditional LOMR's or LOMA's from FEMA where applicable]** **[Acknowledge compliance with state and local floodplain/wetland protection procedures]**

**[HUD or Responsible Entity]** has reevaluated the alternatives to building in the **[floodplain/wetland]** and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of **[Executive Order 11988 and/or 11990]**, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in **[floodplains/wetlands]** and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about **[floodplains/wetlands]** can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in **[floodplains/wetlands]**, it must inform those who may be put at greater or continued risk.

Written comments must be received by the **[HUD or Responsible Entity]** at the following address on or before **[month, day, year]** **[a minimum 7 calendar day comment period will begin the day after the publication and end on the 8<sup>th</sup> day after the publication]:** **[Name of Administrator]**, **[Address]** and **[phone number]**, Attention: **[Name of Certifying Officer or designee]**, **[Title]**. A full description of the project may also be reviewed from **[enter available office hours]** at **[address or state address is same as above]** and **[web address if available]**. Comments may also be submitted via email at **[email address]**.

Date:

**Environmental Review for Activity/Project that is Categorically  
Excluded Subject to Section 58.5**  
Pursuant to 24 CFR 58.35(a)

**Project Information**

**Project Name:**

**Responsible Entity:**

**Grant Recipient** (if different than Responsible Entity):

**State/Local Identifier:**

**Preparer:**

**Certifying Officer Name and Title:**

**Grant Recipient** (if different than Responsible Entity):

**Consultant** (if applicable):

**Direct Comments to:**

**Project Location:**

**Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

**Level of Environmental Review Determination:**

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: \_\_\_\_\_

**Funding Information**

Grant Number	HUD Program	Funding Amount

**Estimated Total HUD Funded Amount:**

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]:

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes   No <input type="checkbox"/> <input type="checkbox"/>	
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes   No <input type="checkbox"/> <input type="checkbox"/>	
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes   No <input type="checkbox"/> <input type="checkbox"/>	

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
<b>Clean Air</b>	Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> <input type="checkbox"/>	
<b>Coastal Zone Management</b>	Yes No	
Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> <input type="checkbox"/>	
<b>Contamination and Toxic Substances</b>	Yes No	
24 CFR Part 50.3(i) & 58.5(i)(2)	<input type="checkbox"/> <input type="checkbox"/>	
<b>Endangered Species</b>	Yes No	
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> <input type="checkbox"/>	
<b>Explosive and Flammable Hazards</b>	Yes No	
24 CFR Part 51 Subpart C	<input type="checkbox"/> <input type="checkbox"/>	
<b>Farmlands Protection</b>	Yes No	
Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> <input type="checkbox"/>	
<b>Floodplain Management</b>	Yes No	
Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> <input type="checkbox"/>	
<b>Historic Preservation</b>	Yes No	
National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> <input type="checkbox"/>	
<b>Noise Abatement and Control</b>	Yes No	
Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> <input type="checkbox"/>	
<b>Sole Source Aquifers</b>	Yes No	

Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> <input type="checkbox"/>	
<b>Wetlands Protection</b>	Yes No	
Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> <input type="checkbox"/>	
<b>Wild and Scenic Rivers</b>	Yes No	
Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> <input type="checkbox"/>	
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>	Yes No	
Executive Order 12898	<input type="checkbox"/> <input type="checkbox"/>	

**Field Inspection** (Date and completed by):

**Summary of Findings and Conclusions:**

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

**Determination:**

☐ This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at

§58.5. Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR

- ☐ This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain “Authority to Use Grant Funds”** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- ☐ This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title/Organization: \_\_\_\_\_

\_\_\_\_\_

Responsible Entity Agency Official Signature:

\_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: \_\_\_\_\_

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



## Finalizing the Review

The following are the steps for finalizing a Part 58 review:

- Obtain the necessary signatures to complete the review.
- Publish or post a Notice of Intent to Request a Release of Funds (NOI-RROF)(applies to CEST, EA, and EIS).
- Publish or post a Notice of Finding of No Significant Impact (Notice of FONSI) if necessary (EA only); this can be combined with the NOI-RROF.
- Wait for the applicable comment period to elapse (see chart below or [24 CFR 58.45](#)).
- Submit the Request for Release of Funds form (7015.15) to HUD (CEST, EA, and EIS).
- HUD will approve the release of funds with an Authority to Release Grant Funds (HUD form 7015.16) after the HUD 15-day public comment period if no valid objections are received.

Type of Notice	Level of Review	Length of Comment Period
Notice of Intent to Request for Release of Funds (NOI-RROF)	CEST, EA, and EIS	7 days when published Or 10 days when only mailing and posting
Notice of FONSI	EA only	15 days when published Or 18 days when mailing and posting
Concurrent or combined notices	EA only	15 days when published Or 18 days when mailing and posting

Part 50 reviews require the appropriate certifications by HUD staff, which may include the preparer, the supervisor, the environmental clearance officer or field environmental officer if the project involves over 200 lots, units or beds, and the program director. HUD staff will inform the project managers when the environmental review is complete.

In the above Example, replace HUD with ODOC.

## Sample Notice of Intent to Request a Release of Funds

The sample language below is HUD's recommended wording of the Notice of Intent to Request a Release of Funds. This Notice is used to request the environmental release of funds for Categorically Excluded projects [24 CFR Part 58, Section 58.35(a)] or for projects for which a Notice of Finding of No Significant Impact was previously issued. Words in **bold type** are required language. Words in *italics* are to be replaced by language appropriate to the particular project and Responsible Entity. The minimum comment period is seven days following publication or ten days if posting and mailing without publication is used

---

### NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

*Date of Notice*

*Name of Responsible Entity [RE]*

*Address (e.g., Street No. or P.O. Box)*

*City, State, Zip Code*

*Telephone Number of RE*

**On or about** *at least one day after the end of the comment period* **the name of RE will** *if the RE is not also the grant recipient, insert the following language here: "authorize the [name of grant recipient] to"* **submit a request to the HUD/State administering agency for the release of name of grant program funds under Title/Section [ ] of the name of the Act of [year], as amended, to undertake a project known as project title for the purpose of nature/scope of project, estimated funding (include non-HUD funding sources if applicable) and project location if applicable.**

**The activities proposed** *alternative #1: are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements or alternative #2: comprise a project for which a Finding of No Significant Impact on the environment was [published/posted] on [date of Finding publication/posting].* **An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at name and address of RE office where ERR can be examined and name and address of other locations where the record is available for review and may be examined or copied weekdays \_\_A.M. to \_\_P.M.**

### PUBLIC COMMENTS

**Any individual, group, or agency may submit written comments on the ERR to the RE designated office responsible for receiving and responding to comments. All comments received by** *if notice is published: notice date plus seven days; if notice is mailed and posted: mailing and posting date plus ten days* **will be considered by the name of RE prior to authorizing submission of a request for release of funds.**

## ENVIRONMENTAL CERTIFICATION

**The name of RE certifies to HUD/State that name of Certifying Officer in his/her capacity as Official Title consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's State's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the name of grant recipient to use Program funds.**

### OBJECTIONS TO RELEASE OF FUNDS

*HUD/State will accept objections to its release of fund and the RE's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the name of RE; (b) the RE has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD/State; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD/State administration office at address of that office. Potential objectors should contact HUD/State to verify the actual last day of the objection period.*

*Name and Title of RE Certifying Officer*

---

Note: The seven or ten-day public comment periods are the minimum time periods required by regulation prior to submission of a Request for Release of Funds and Certification [form HUD-7015.15] to HUD/State. The Responsible Entity may choose to allow a longer comment period. The fifteen-day objection period following submission of the request is a statutory requirement. The objection period follows the submission date specified in the Notice or the actual date of receipt by HUD/State, whichever is later.

Following completion of the comment period recipients may FAX the form HUD-7015.15 to HUD/State together with a copy of the public notice and a cover letter stating whether comments were received and, if so, how the recipient responded to the comment. The Request for Release of Funds and Certification should not be submitted before the recipient has responded. If the request is sent by FAX, the original signed form should be mailed to HUD/State. The date of receipt by FAX will be counted as the submission date. However, HUD will not issue the 7015.16 "Authority to Use Grant Funds" until after the original signed form is received.

**Environmental Assessments** are prepared under the National Environmental Policy Act to determine whether a project requires an environmental impact statement or a finding of no significant impact. When conducting an environmental assessment for a HUD-assisted project, refer to the resources below for guidance.

**NEPAassist** is a tool that facilitates the environmental review process and project planning in relation to environmental considerations. The web-based application draws environmental data dynamically from EPA's Geographic Information System databases and web services and provides immediate screening of environmental assessment indicators for a user-defined area of interest. These features contribute to a streamlined review process that potentially raises important environmental issues at the earliest stages of project development.

<https://www.epa.gov/nepa/nepassist>

### **Part 58 Environmental Assessment Form**

The recommended format for conducting Part 58 environmental assessments.

### **Environmental Assessment Factors and NEPA Analysis**

In addition to compliance with the laws and authorities at 24 CFR 58.6 and 58.5 (also known as the Statutory Checklist), environmental assessments must consider an array of additional potential impacts of the project. This resource lists the additional environmental assessment factors and National Environmental Policy Act (NEPA) analysis that would be required of an environmental assessment for HUD-assisted projects. Note: This document presents only the factors *not* included in a *categorically excluded, subject to* (CEST) review and should be used for reference only.

### **Environmental Assessment Factors Guidance**

One component of the environmental assessment is an analysis of the project's impacts on land development, socioeconomic factors, community facilities and services, and natural features. (See the Environmental Assessment Factors section of the recommended form or the Environmental Assessment Factors and NEPA Analysis reference document). This document provides guidance on how to analyze each of those factors.

### **ENERGY.GOV Website**

The Office of NEPA Policy and Compliance provides guidance and requirement documents to the NEPA community <https://www.energy.gov/nepa/nepa-guidance-requirements>.

<https://www.hudexchange.info/resources/documents/Part-58-EA-Format.docx>

<https://www.hudexchange.info/resources/documents/sample-fonsi-and-rrof.doc>



**Environmental Assessment**  
**Determinations and Compliance Findings for HUD-assisted Projects**  
**24 CFR Part 58**

**Project Information**

**Project Name:**

**Responsible Entity:**

**Grant Recipient** (if different than Responsible Entity):

**State/Local Identifier:**

**Preparer:**

**Certifying Officer Name and Title:**

**Grant Recipient** (if different than Responsible Entity):

**Consultant** (if applicable):

**Direct Comments to:**

**Project Location:**

**Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]:

**Existing Conditions and Trends** [24 CFR 58.40(a)]:

**Funding Information**

Grant Number	HUD Program	Funding Amount

**Estimated Total HUD Funded Amount:**

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]:

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24	Are formal compliance steps or	Compliance determinations
---	--------------------------------------	---------------------------

CFR §58.5 and §58.6	mitigation required?	
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
24 CFR Part 51 Subpart D		
<b>Coastal Barrier Resources</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]		
<b>Flood Insurance</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]		
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b>		
<b>Clean Air</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93		
<b>Coastal Zone Management</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Coastal Zone Management Act, sections 307(c) & (d)		
<b>Contamination and Toxic Substances</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
24 CFR Part 50.3(i) & 58.5(i)(2)		
<b>Endangered Species</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402		
<b>Explosive and Flammable Hazards</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
24 CFR Part 51 Subpart C		

<b>Farmlands Protection</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658		
<b>Floodplain Management</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Executive Order 11988, particularly section 2(a); 24 CFR Part 55		
<b>Historic Preservation</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800		
<b>Noise Abatement and Control</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B		
<b>Sole Source Aquifers</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149		
<b>Wetlands Protection</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Executive Order 11990, particularly sections 2 and 5		
<b>Wild and Scenic Rivers</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Executive Order 12898		

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and

supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design		
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff		
Hazards and Nuisances including Site Safety and Noise		
Energy Consumption		

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns		
Demographic Character Changes, Displacement		

Environmental Assessment Factor	Impact Code	Impact Evaluation
---------------------------------	-------------	-------------------

<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities		
Commercial Facilities		
Health Care and Social Services		
Solid Waste Disposal / Recycling		
Waste Water / Sanitary Sewers		
Water Supply		
Public Safety - Police, Fire and Emergency Medical		
Parks, Open Space and Recreation		
Transportation and Accessibility		

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources		
Vegetation, Wildlife		
Other Factors		

**Additional Studies Performed:**

**Field Inspection** (Date and completed by):

**List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]:

**List of Permits Obtained:**

**Public Outreach** [24 CFR 50.23 & 58.43]:

**Cumulative Impact Analysis** [24 CFR 58.32]:

**Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]

**No Action Alternative** [24 CFR 58.40(e)]:

**Summary of Findings and Conclusions:**

**Mitigation Measures and Conditions** [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

**Determination:**

- ☐ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]  
The project will not result in a significant impact on the quality of the human environment.
- ☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]  
The project may significantly affect the quality of the human environment.

Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title/Organization: \_\_\_\_\_

Certifying Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: \_\_\_\_\_

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

## Sample Notice of Finding of No Significant Impact and Notice of Intent to Request a Release of Funds

The sample language below is HUD's recommended wording of the combined Notice of Finding of No Significant Impact and Notice of Intent to Request a Release of Funds. This Notice is used for projects requiring an Environmental Assessment (24 CFR Part 58, Section 58.36). Words in **bold type** are required language. Words in *italics* are to be replaced by language appropriate to the particular project and Responsible Entity.

### NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

*Date of Notice*

*Name of Responsible Entity [RE]*

*Address (e.g., Street No. or P.O. Box)*

*City, State, Zip Code*

*Telephone Number of RE*

**These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the *name of RE or grant recipient*.**

### REQUEST FOR RELEASE OF FUNDS

**On or about at least one day after the end of the comment period the *name of RE* will if the *RE* is not also the grant recipient, insert the following language here: "authorize the [name of grant recipient] to" submit a request to the HUD/State administering agency for the release of name of grant program funds under Title/Section [ ] of the name of the Act of [year], as amended, to undertake a project known as project title for the purpose of nature/scope of project, estimated funding (include non-HUD funding sources if applicable) and project location if applicable.**

### FINDING OF NO SIGNIFICANT IMPACT

**The *name of RE* has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at name and address of RE office where ERR can be examined and name and address of other locations where the record is available for review and may be examined or copied weekdays \_\_A.M to \_\_P.M.**

### PUBLIC COMMENTS

**Any individual, group, or agency may submit written comments on the ERR to the *RE designated office responsible for receiving and responding to comments*. All comments**

**received by if notice is published: publication date plus fifteen days; if notice is mailed and posted: mailing and posting date plus eighteen days will be considered by the name of RE prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.**

### ENVIRONMENTAL CERTIFICATION

**The *name of RE* certifies to HUD/State that *name of Certifying Officer* in his/her capacity as *Official Title* consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's State's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the *name of grant recipient* to use Program funds.**

### OBJECTIONS TO RELEASE OF FUNDS

- ▲ **HUD/State will accept objections to its release of fund and the *RE's* certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the *name of RE*; (b) the *RE* has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD/State; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD/State administration office at address of that office. Potential objectors should contact HUD/State to verify the actual last day of the objection period.**

*Name and Title of RE Certifying Officer*

Note: The fifteen or eighteen-day public comment periods are the minimum time periods required by regulation prior to submission of a Request for Release of Funds and Certification (form HUD-7015.15) to HUD/State. The Responsible Entity may choose to allow a longer comment period. 24 CFR Part 58 requires, at Section 58.46, "Time delays for exceptional circumstances," a 30-day comment period for controversial or unique projects or those similar to projects normally requiring preparation of an Environmental Impact Statement. The fifteen-day objection period is a statutory requirement. The objection period follows the submission date specified in the Notice or the actual date of receipt by HUD/State, whichever is later.

Following completion of the comment period recipients may FAX the form HUD-7015.15 to HUD/State together with a copy of the public notice and a cover letter stating whether comments were received and, if so, how the recipient responded to the comment. The Request for Release of Funds and Certification should not be submitted before the recipient has responded. If the request is sent by FAX, the original signed form should be mailed to HUD/State. The date of receipt by FAX will be counted as the submission date. However, HUD will not issue the 7015.16 "Authority to Use Grant Funds" until after the original signed form is received.



**Request for Release of Funds** – This form 7015.15 must be completed and provided with the entire Environmental Review Record to the Chief Elected Official for review, approval, and execution of all the required documents for submission in OKGrants. The Chief Elected official is the sole responsible party for the review as well as the grant performance and compliance. This form is required for CEST or Assessment activities where a Posting to the Public occurred. Once submitted, ODOC must hold the request for a 15 day comment period.

### Request for Release of Funds and Certification

U.S. Department of Housing  
and Urban Development  
Office of Community Planning  
and Development

OMB No. 2506-0087  
(exp. 03/31/2020)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 38 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

## Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity	
6. For information about this request, contact (name & phone number)		
8. HUD or State Agency and office unit to receive request		
	7. Name and address of recipient (if different than responsible entity)	

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
--	--

### 11. Program Activity/Project Description

---

**Part 2. Environmental Certification (to be completed by responsible entity)**

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did ☐ did not ☐ require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer
	Date signed
X	
Address of Certifying Officer	

---

**Part 3. To be completed when the Recipient is not the Responsible Entity**

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures, and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient	Title of Authorized Officer
	Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

## Community Development Block Grant Release of Funds Checklist (prepare & upload to OKGrants)

Grant Recipient Name: <input style="width: 90%;" type="text"/>	Submitted Items	Reviewed Items - ODOC	
CDBG Contract Number: <input style="width: 90%;" type="text"/>			
Project Description: <input style="width: 90%;" type="text"/>			
<p><b>Determine Level of Environmental Review - Please complete separate environmental forms for each applicable activity. Reference CDBG Sub-recipient Management Guide and Forms</b></p> <p><b>1. Exempt Activity - Complete and Upload Form into OKGrants</b></p> <p><b>a. Part 58 Environmental Review – Exempt:</b>  <a href="https://www.hudexchange.info/resource/3141/part-58-environmental-review-exempt-or-censt-format/">https://www.hudexchange.info/resource/3141/part-58-environmental-review-exempt-or-censt-format/</a>            *Be sure to <b>ONLY</b> include funds committed to Exempt activities under Sec. 58.34 (a)(3) (ex. Admin, engineering cost)            Verification in <a href="http://beta.Sam.gov">http://beta.Sam.gov</a> (print and upload)</p> <p><b>b. Grantee Debarment Review Certification Form</b></p> <p><b>c. Contractor Debarment Review Certification Form</b></p>			
<p><b>2. Categorically Excluded NOT Subject To 58.5</b>            Complete and Upload Categorically Excluded Not Subject to Section 58.5 Form (Pursuant to 24 CFR Part 58.35(b))</p> <p><b>a. Part 58 Environmental Review - Exempt or CENST Format:</b>  <a href="https://www.hudexchange.info/resource/3141/part-58-environmental-review-exempt-or-censt-format/">https://www.hudexchange.info/resource/3141/part-58-environmental-review-exempt-or-censt-format/</a>            *Be sure to <b>ONLY</b> include funds committed to Categorically Excluded activities under 58.35(b)(3) (ex. Purchase of Fire Truck)</p>			
<p><b>3. Categorically Excluded Subject To 58.5</b>            Complete and Upload <b>All Review Worksheets</b> (checklist below) located at:  <a href="https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/">https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/</a></p>			
1. Airport Hazards <input style="width: 40px; height: 20px;" type="checkbox"/>	5. Coastal Zone Mgmt. <input style="width: 40px; height: 20px;" type="checkbox"/>	9. Farmland Protection <input style="width: 40px; height: 20px;" type="checkbox"/>	13. Sole Source Aquifers <input style="width: 40px; height: 20px;" type="checkbox"/>
2. Coastal Barrier Resources <input style="width: 40px; height: 20px;" type="checkbox"/>	6. Contamination & Toxic substance <input style="width: 40px; height: 20px;" type="checkbox"/>	10. Floodplain Management <input style="width: 40px; height: 20px;" type="checkbox"/>	14. Wetlands Protection <input style="width: 40px; height: 20px;" type="checkbox"/>
3. Flood Insurance <input style="width: 40px; height: 20px;" type="checkbox"/>	7. Endangered Species <input style="width: 40px; height: 20px;" type="checkbox"/>	11. Historic Preservation <input style="width: 40px; height: 20px;" type="checkbox"/>	15. Wild and Scenic Rivers <input style="width: 40px; height: 20px;" type="checkbox"/>
4. Air Quality <input style="width: 40px; height: 20px;" type="checkbox"/>	8. Explosive & Flammable Facilities <input style="width: 40px; height: 20px;" type="checkbox"/>	12. Noise Abatement & Control <input style="width: 40px; height: 20px;" type="checkbox"/>	16. Environmental Justice <input style="width: 40px; height: 20px;" type="checkbox"/>

ODOC 2020

<p>Complete and Upload Categorically Excluded Form:</p> <p><b>Fillable Format - Part 58 Environmental Review - Format for Activities</b>            Categorically Excluded under 58.35(a)(CEST)</p> <p><b>Website -</b> <a href="https://www.hudexchange.info/resource/3139/part-58-environmental-review-censt-format/">https://www.hudexchange.info/resource/3139/part-58-environmental-review-censt-format/</a></p> <p>*Be sure to <b>ONLY</b> include funds committed to Categorically Excluded activities under 58.35(a) (ex. Replacement of water sewer lines, reconstruction of curbs and sidewalks, repaving of streets)</p> <p><b>Did your statutory checklist (above form) convert the project to exempt from a notice of intent publication?</b>  <b>IF YES, skip to Items 5 thru 8 pg.3 of this checklist</b></p> <div style="text-align: center;"> <p>STOP</p> </div> <p><b>IF NO, continue steps below and upload with checklist</b></p> <p><b>a. Historical Clearance</b></p> <p><b>b. Archeological Clearance</b></p> <p><b>c. If applicable, submit documentation for Floodplain Mgmt.</b>            FEMA FIRMette Maps (<b>highlight location on map</b>)            8-Step Analysis (24 CFR Part 55.20)            Early Notice (<b>must be published one time, 15 day comment period</b>)            Final Notice (<b>must be published one time, 7 day comment period</b>)</p> <p><b>d. Notice of Intent (Proof of Publication or Posting)</b></p> <p><b>e. Distribute the Notice to the appropriate agencies and interested parties in relation to the activity and keep in the ERR. (Dist. List)</b></p> <p><b>f. Complete and Upload 7015.15 Form</b>            HUD Form 7015.15 - Request for Release of Funds and Certification  <a href="https://www.hudexchange.info/resource/2338/hud-form-701515-request-release-funds-certification/">https://www.hudexchange.info/resource/2338/hud-form-701515-request-release-funds-certification/</a></p> <p><b>4. Environmental Assessment (EA)-Complete and Upload All Review Worksheets</b> (checklist below) located:  <a href="https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/">https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/</a></p>				Submitted Items	Reviewed Items - ODOC
<p><b>a. Historical Clearance</b></p>				<input style="width: 40px; height: 20px;" type="checkbox"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
<p><b>b. Archeological Clearance</b></p>				<input style="width: 40px; height: 20px;" type="checkbox"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
<p><b>c. If applicable, submit documentation for Floodplain Mgmt.</b>            FEMA FIRMette Maps (<b>highlight location on map</b>)            8-Step Analysis (24 CFR Part 55.20)            Early Notice (<b>must be published one time, 15 day comment period</b>)            Final Notice (<b>must be published one time, 7 day comment period</b>)</p>				<input style="width: 40px; height: 20px;" type="checkbox"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
<p><b>d. Notice of Intent (Proof of Publication or Posting)</b></p>				<input style="width: 40px; height: 20px;" type="checkbox"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
<p><b>e. Distribute the Notice to the appropriate agencies and interested parties in relation to the activity and keep in the ERR. (Dist. List)</b></p>				<input style="width: 40px; height: 20px;" type="checkbox"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
<p><b>f. Complete and Upload 7015.15 Form</b>            HUD Form 7015.15 - Request for Release of Funds and Certification  <a href="https://www.hudexchange.info/resource/2338/hud-form-701515-request-release-funds-certification/">https://www.hudexchange.info/resource/2338/hud-form-701515-request-release-funds-certification/</a></p>				<input style="width: 40px; height: 20px;" type="checkbox"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
<p><b>4. Environmental Assessment (EA)-Complete and Upload All Review Worksheets</b> (checklist below) located:  <a href="https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/">https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/</a></p>				<input style="width: 40px; height: 20px;" type="checkbox"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
1. Airport Hazards <input style="width: 40px; height: 20px;" type="checkbox"/>	5. Coastal Zone Mgmt. <input style="width: 40px; height: 20px;" type="checkbox"/>	9. Farmland Protection <input style="width: 40px; height: 20px;" type="checkbox"/>	13. Sole Source Aquifers <input style="width: 40px; height: 20px;" type="checkbox"/>		
2. Coastal Barrier Resources <input style="width: 40px; height: 20px;" type="checkbox"/>	6. Contamination & Toxic Substance <input style="width: 40px; height: 20px;" type="checkbox"/>	10. Floodplain Management <input style="width: 40px; height: 20px;" type="checkbox"/>	14. Wetlands Protection <input style="width: 40px; height: 20px;" type="checkbox"/>		
3. Flood Insurance <input style="width: 40px; height: 20px;" type="checkbox"/>	7. Endangered Species <input style="width: 40px; height: 20px;" type="checkbox"/>	11. Historic Preservation <input style="width: 40px; height: 20px;" type="checkbox"/>	15. Wild and Scenic Rivers <input style="width: 40px; height: 20px;" type="checkbox"/>		
4. Air Quality <input style="width: 40px; height: 20px;" type="checkbox"/>	8. Explosive & Flammable Facilities <input style="width: 40px; height: 20px;" type="checkbox"/>	12. Noise Abatement & Control <input style="width: 40px; height: 20px;" type="checkbox"/>	16. Environmental Justice <input style="width: 40px; height: 20px;" type="checkbox"/>		

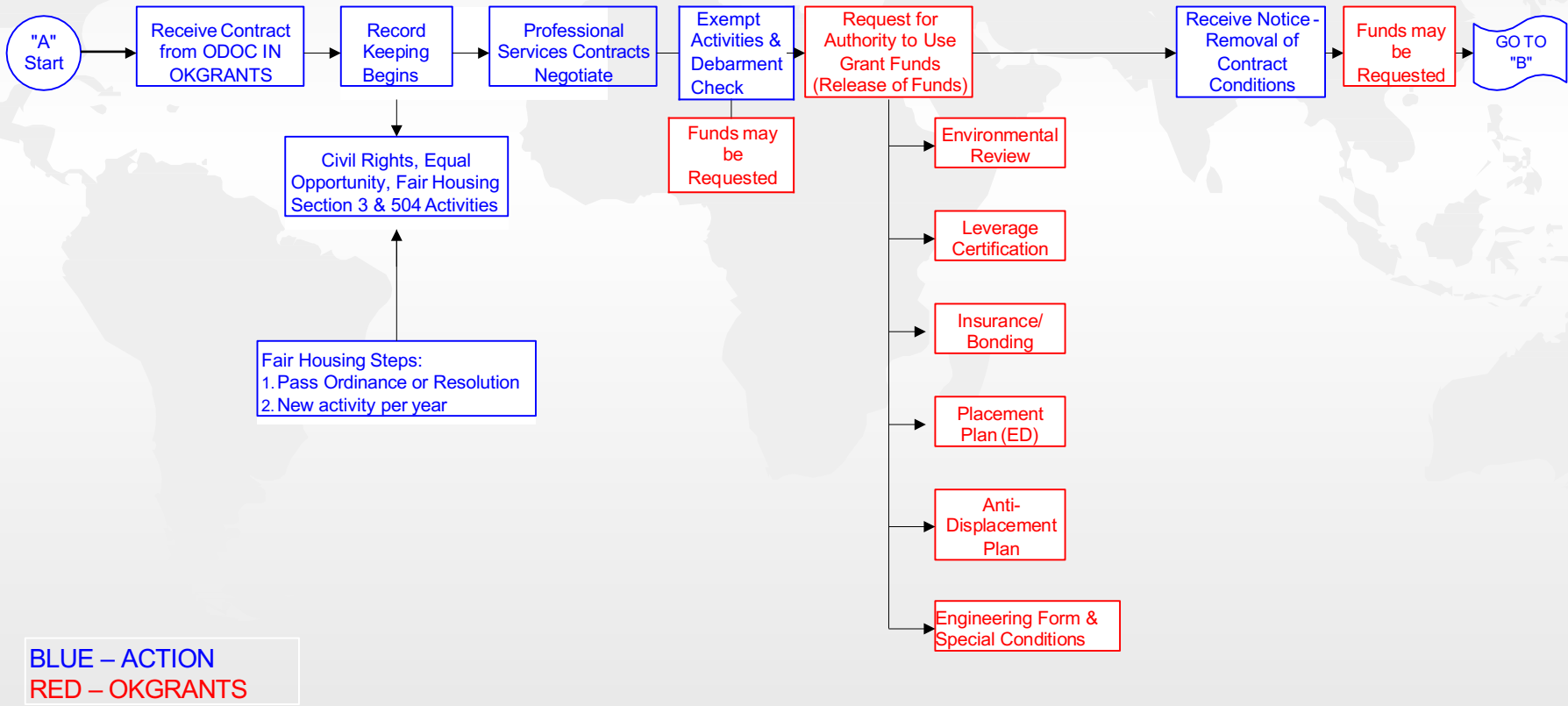
ODOC 2020





# Community Development Block Grant Construction Flow Chart

\*Release of Funds must be achieved within 120 days after contract start date



Request Wage Rates  
45 days prior to bid  
opening  
<https://beta.sam.gov>

BID ADVERTISEMENT -  
Federal Labor Standards  
Section 3  
Section 109  
Certificate of Non-Segregated Fclty.  
Equal Opportunity  
MBE/WBE  
Bonding

"B"  
After  
ROF

Develop Final  
Plans & Specs

Prior to  
Bid Advertisement

Approval of Appropriate  
Agencies  
(Permits)

Obtained land, right  
of way easements  
(49 CFR 24)

Develop Bid  
Package

2 Consecutive  
Weekly Issues

Advertise  
for Bids

Addendum if  
Necessary - Mod.  
to Bidders

10 Day Call  
Wage Rates

30 Days to  
Select

Open Bids

If bids exceed  
Budget review  
options

Review &  
Tabulate Bids

Go to  
"C"

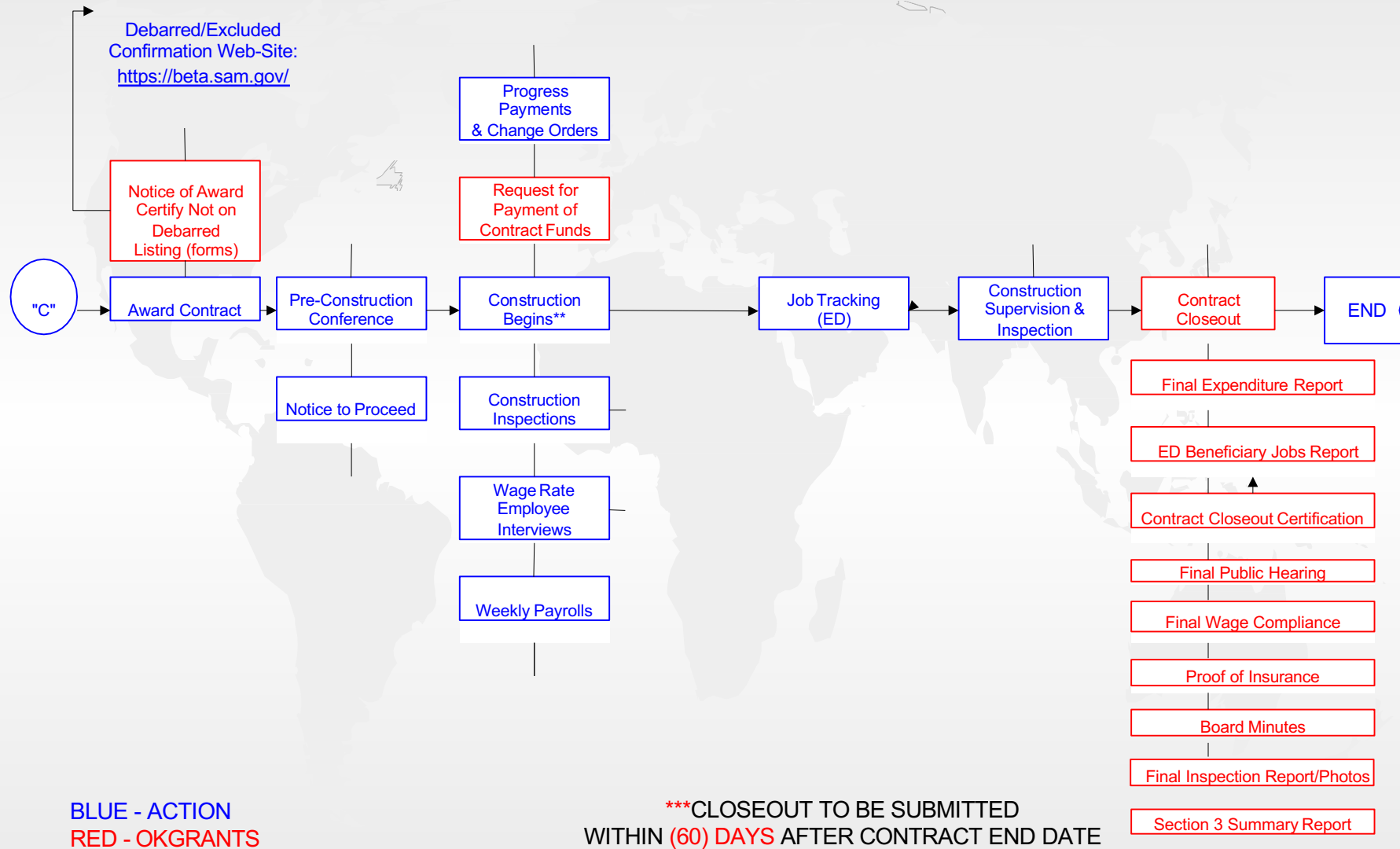
20 Days prior to  
Opening Bids

Contact Proposed  
Bidders Including  
MBE, WBE & SBA

If NO award  
within 30 days  
Notify ODOC

BLUE - ACTION  
RED - OKGRANTS

**\*\* Construction must start 270 days after CDBG contract start date**



# Review & Questions

Requirement 404

Civil Rights/Fair  
Housing/EEO/Section 3



# Housing and Community Development Act

In 1974 Congress passed the Housing and Community Development Act (HCDA)

- Created the Community Development Block Grant (CDBG) Program.
- The HCDA requires CDBG grantees and subgrantees to certify that they will affirmatively further fair housing (AFFH).



# Fair Housing

Local governments, because of their influence and power, are the most effective position to promote fair housing.

Meaningful actions:

- Overcome historic patterns of segregation
- Promote fair housing choice
- Foster inclusive communities that are free from discrimination

# Fair Housing

- ▶ The Fair Housing Act prohibits discrimination in housing opportunities for **seven (7)** protected classes:
  - **Race**
  - **Color**
  - **Religion**
  - **National Origin**
  - **Gender**
  - **Disability**
  - **Family Status**



# Fair Housing Requirement

ODOC requires all CDBG grant recipients to:

- ▶ adopt a Fair Housing Ordinance or pass a Fair Housing Resolution as the first step in affirmatively furthering fair housing.
- ▶ undertake at least one (1) new activity per year to further fair housing.

# Fair Housing requirement - examples

- Have a written local complaint and monitoring process and notify the public of its existence through newspaper advertisement, or through notices in utility statements.
- Designate April or any month as “Fair Housing Month” by Proclamation or Resolution along with another sponsoring activity
- Newspaper advertisements, marquis displays or public service announcements
- Poster contest, essay writing contest at local schools
- Display items at local businesses

# Resource

[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/marketing](https://www.hud.gov/program_offices/fair_housing_equal_opp/marketing)

- Posters
- Social Media Advertisements
- Brochures
- Booklets
- Flyers
- Handouts

# SECTION 504 OF THE REHABILITATION ACT OF 1973

## Summary:

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by HUD or that receive financial assistance from HUD.

## Purpose:

In addition to its responsibility for enforcing other Federal statutes prohibiting discrimination in housing HUD has a statutory responsibility under Section 504 to ensure that individuals are not subjected to discrimination on the basis of disability by any program or activity receiving HUD assistance. Section 504 charges HUD with enforcing the right of individuals to live in federally subsidized housing free from discrimination on the basis of disability. Further, Section 504 covers employment discrimination based on disability and requires HUD and HUD-assisted agencies to make reasonable accommodations for the known physical or mental limitations of an employee or qualified applicant. It covers all HUD programs except for its mortgage insurance and loan guarantee programs.

# SECTION 109 OF THE HOUSING AND COMMUNITY DEVELOPMENT (HCD) ACT OF 1974

## Summary:

Section 109 of the HCD Act of 1974, Title I, prohibits discrimination on the basis of race, color, national origin, disability, age, religion, and sex within Community Development Block Grants (CDBG) programs or activities.

## Purpose:

In addition to its responsibility for enforcing other Federal statutes prohibiting discrimination in housing, HUD has a statutory obligation under Section 109 to ensure that individuals are not subjected to discrimination on the basis of race, color, national origin, disability, age, religion, or sex by recipients of CDBG funds. Section 109 charges HUD with enforcing the right of individuals to live in CDBG-funded housing free from such discrimination. However, this additional statutory authority only applies to CDBG and allied programs, such as Section 108 loan guarantees and the Historically Black Colleges and University programs.

## Title II of the Americans with Disabilities Act of 1990

Title II prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals.

## Architectural Barriers Act of 1968

The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 must be accessible to and useable by handicapped persons.

## Age Discrimination Act of 1975

The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.



## Equal Opportunity and Affirmative Action

Evidence of efforts to provide equal opportunity and take affirmative action steps in the recruitment, selection and compensation of employees must be documented.

- All employment notices should be posted in conspicuous places available to both employees and applicants and must contain the following provisions of this discrimination clause: “All qualified applicants will receive consideration for employment without regard to race, color, religion, creed, age, sex, national origin or disability.”
- A copy of the UGLG’s application for Employment must be provided to ODOC for compliance with HUD’s CDBG Regulation in 570.904, Equal Opportunity.
- Employment Policies should exhibit Civil Rights and non-discrimination statutes and are subject for review by the Dept. of Commerce.

## Oklahoma Fair Housing Law

The Oklahoma Fair Housing Law (Title 25, article 4A, Section 1451 through article 5, Section 1508) prohibits discrimination in the rental, sales, financing, appraisal, insurance of housing and other housing-related transactions based on the following categories or "protected classes" including race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability). The Oklahoma Fair Housing Law also has "Age" as a "protected class".

The Oklahoma Office of the Attorney General is the state agency empowered to enforce the Oklahoma Fair Housing Law through its Office of Civil Rights Enforcement. To file a complaint under the state fair housing law, call (405) 521-2029, send an email to [orec.help@orec.ok.gov](mailto:orec.help@orec.ok.gov) or download a housing discrimination complaint form at [www.orec.ok.gov](http://www.orec.ok.gov).



**CALL HUD**

**1-800-669-9777 / 1-800-877-8339 TTY**

**WWW.HUD.GOV**

# Discrimination Complaints

Complaints Involving Discrimination under the Fair Housing Act	
<i>How Your Rights May Have Been Violated</i>	Discrimination in renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities
<i>Applicable Law and Protected Classes</i>	Fair Housing Act (race, color, national origin, religion, sex, familial status, disability)
<i>Who May File a Complaint</i>	Anyone who has been or will be harmed by a discriminatory housing practice
<i>Who May Have a Complaint Filed Against Them</i>	Property owners, property managers, developers, real estate agents, mortgage lenders, homeowners associations, insurance providers, and others who affect housing opportunities
Complaints Involving Discrimination in Housing and Community Development Programs	
<i>How Your Rights May Have Been Violated</i>	Discrimination and other violations of civil rights in HUD programs (for example, failure to ensure meaningful access by persons with limited English proficiency)
<i>Applicable Laws and Protected Classes</i>	Title VI of the Civil Rights Act of 1964 (race, color, national origin); Section 109 of the Housing and Community Development Act of 1974 (race, color, national origin, religion, sex); Section 504 of the Rehabilitation Act of 1973 (disability); Title II of the Americans with Disabilities Act of 1990 (disability); Architectural Barriers Act of 1968 (disability); Age Discrimination Act of 1975 (age); Title IX of the Education Amendments Act of 1972 (sex)
<i>Who May File a Complaint</i>	Anyone
<i>Who May Have a Complaint Filed Against Them</i>	Any recipient or subrecipient of HUD financial assistance, States, local governments, and private entities operating housing and community development and other types of services, programs, or activities



# Section 3 Reporting



# What is Section 3?

- ▶ It is a means by which HUD fosters local economic development, neighborhood economic improvement, and individual self-sufficiency. Section 3 is the legal basis for providing jobs for residents and awarding contracts to businesses in areas receiving certain types of HUD financial assistance.
- ▶ Under Section 3 of the HUD Act of 1968, wherever HUD financial assistance is expended for housing or community development, to the greatest extent feasible, economic opportunities will be given to Section 3 residents and businesses in that area.
- ▶ To qualify for a Section 3 Business, majority ownership must be held by Section 3 Residents or at least 30% of the permanent full time employees are Section 3

A close-up photograph of a person wearing a white button-down shirt. Their right hand is extended, with the index finger pointing towards the screen of a smartphone held in their left hand. The background is blurred, focusing attention on the hand and the phone.

## Section 3



# Why is this important to you?

## Section 3 Performance Evaluation and Registry System (SPEARS)

- System created by HUD to capture data on the number of Section 3 residents hired or receiving training positions and the amount of contracts awarded to Section 3 businesses.
- Uses the same information on the Section 3 Report submitted at Closeout
- Reporting period is from April to March



U.S. Department of Housing  
and Urban Development  
Office of Fair Housing  
And Equal Opportunity

HUD Field Office:

1. Recipient Name & Address: (street, city, state, zip)	2. Federal Identification: (grant no.)	3. Total Amount of Award:
	4. Contact Person	5. Phone: (include area code)
	6. Length of Grant:	7. Reporting Period:
8. Date Report Submitted:	9. Program Code: (Use separate sheet for each program code)	10. Program Name:

A Job Category	B Number of New Hires	C Number of New Hires that are Sec. 3 Residents	D % of Aggregate Number of Staff Hours of New Hires that are Sec. 3 Residents	E % of Total Staff Hours for Section 3 Employees and Trainees	F Number of Section 3 Trainees
Professionals					
Technicians					
Office/Clerical					
Construction by Trade (List Trade)					
Trade					
Trade					
Trade					
Trade					
Other (List)					
Total					

8 = CDBG State Administered  
9 = Other CD Programs  
10 = Other Housing Programs

**Part I: Employment and Training Opportunities**  
**Column A:** Contains various job categories. Professionals are defined as people who have special knowledge of an occupation (i.e. supervisors, architects, surveyors, planners and computer programmers). For construction positions, list each trade and provide data in columns B – F for each trade where persons were employed. The category of "Other" includes occupations such as service workers.  
**Column B: (Mandatory Field)** Enter number of new hires of workers identified in Col. A in connection with this award. New hire refers to a person who is not on the contractor's or

# Section 3

- Section 3 Opportunity Portal
- Section 3 Contractor Listing- Updated Annually
- **HUD Section 3 Rule**
  - Tracks labors hours instead of new hires
  - Increases threshold to \$200,000
  - Non-construction services that require an advanced degree or license will be excluded from Section 3
- Direct your communities to the **Okcommerce.gov** page for updates

# Requirement 405 Procurement



# FEDERAL REGULATIONS

- CDBG (24 CFR part 570)
- A-133 – Audit of States, Local Governments & Non-profit organizations
  - Increased audit threshold from \$500,000 to \$750,000 for single audit requirement
- 2 CFR Part 200 – Uniform Administrative Requirements effective date 12/26/2014  
(non-compliance with HUD programs began January 7, 2016)  
*Ref: Notice SD-2015-01 dated 2-26-15; Transition to 2 CFR Part 200 for details of below:*
  - 1) Subpart A – Acronyms and Definitions
  - 2) Subpart B – General Provisions (Highlights
  - 3) Subpart C – Pre-Federal Award Requirements and Contents of Federal Awards
  - 4) Subpart D – Post-Federal Award Requirements
  - 5) Subpart E – Cost Principles
  - 6) Subpart F – Audit Requirements

# PROCUREMENT BASICS

## PROCUREMENT BASICS – Procurement Regulations for CDBG

24 CFR 570.489(d) Administrative and (g) Procurement for States,  
plus Fed. Reg. Notice Requirements

- 2 CFR 200.317 - State grantees must make decisions about the rules that apply to themselves and to the sub-grants they provide to local governments and sub-recipients
- 2 CFR 200.318-326 for sub-recipients
  - Also required to follow State & local procurement laws
  - Practice Tip: As a good rule of thumb, where local and state rules address the same matter/requirements as 2 CFR part 200, **follow the most restrictive standard** unless it conflicts with the Federal Requirement (if there is a conflict, follow Part 200 rule or contact ODOC for guidance)

# PROCUREMENT BY STATES

## Procurement by States

### 24 CFR 570.489(d): Fiscal controls and accounting procedures.

A State shall have fiscal and administrative requirements for expending and accounting for CDBG funds that:

- Are specific enough to ensure compliance
- Ensure that CDBG funds are spend for reasonable and necessary costs;
- Ensure that CDBG funds are not used for general expenses

A State may satisfy this requirement by:

- Using requirements applicable to the use of its own funds;
- Adopting new requirements; or
- **Applying the provisions in 2 CFR part 200 (in which case, the provisions of part 200 apply to the State and its sub-recipients)**



# PROCUREMENT BY STATES

## PROCUREMENT BY STATES

24 CFR 570.489(g): Procurement

2 CFR 200.317

- When procuring property or services to be paid for in whole or in part with CDBG funds, the State shall follow its procurement policies and procedures
- Methods of procurement (e.g., small purchase, sealed bids/formal advertising, competitive proposals, and noncompetitive proposals) and their applicability shall be specified by the State.

# PROCUREMENT BY STATES

## Procurement by States

### 24 CFR 570.489(g): Procurement

- No cost plus a percentage of cost contracts or percentage of construction costs contracts
- Must include standards of conduct governing employees engaged in contract award or administration.
- Must include any clauses required by Federal statutes, Executive Orders, and implementing regulations.

# PROCUREMENT BY STATES

Procurement by States – How can a State Agency comply?

- The States policies and procedures must set out the procurement rules based on full and open competition that apply to its CDBG program.

It can:

1. Follow the procurement rules the State uses when it procures contracts with its own funds; OR
2. Adopt 2 CFR 200, in which case it will follow 2 CFR 200.317 – follow the rules it follows when it procures with its own funds and rules for procurement of recovered materials in §200.322; OR
3. Adopt new requirements for its CDBG program, such as the rules in 2 CFR 200.318-200.326 that apply to local governments.

# PROCUREMENT STANDARDS

- **Procurement Standards: 200.318 to 200.326**

General and specific procurement standards are broken into the following categories:

- 2 CFR 200.318: General Procurement Standards
- 2 CFR 200.319: Competition
- 2 CFR 200.320: Methods of Procurement
- 2 CFR 200.321: Socio-Economic Contracting
- 2 CFR 200.322: Procurement of Recovered Materials
- 2 CFR 200.323: Contract Cost and Price
- 2 CFR 200.324: Review of Procurements
- 2 CFR 200.325: Bonding Requirements
- 2 CFR 200.326: Contract Provisions

# PROCUREMENT STANDARDS

## COMPETITION (highlights)

- The non-Federal entity must conduct procurement transactions in a manner providing “**full and open competition**” – see 2 CFR 200.319
- Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be **excluded** from bidding (2 CFR 200.319(a))

Practice Tip: Scoping and scaling procurements appropriately, e.g., If it is important to have the design firm oversee construction, include both services in the procurement. BUT, consider breaking out procurements to obtain a more economical price (200.318(d)), and take necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible (200.321(a) and (b))

# METHODS OF PROCUREMENT

- Micro purchase
- Small purchase
- Sealed Bidding
- Competitive Proposals
- Non-Competitive Proposals



# METHODS OF PROCUREMENT

## COST AND PRICE (highlights)

- A non-Federal entity must perform a price or cost analysis in connection with every procurement action above the simplified acquisition threshold (\$250,000), including contract modifications
- The method and degree of analysis is dependent on the facts and circumstances surrounding the particular procurement
- **The non-Federal entity must make independent estimates before receiving bids or proposals**
- A non-Federal entity shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed (2 CFR 200.323)

# Methods of procurement

Procurement Type	Solicitation Method	Applications	Dollar Thresholds if applicable
<b>Micro Purchases</b> <b>2 CFR 200.320(a)</b>	<ul style="list-style-type: none"> <li>No solicitation required</li> <li>distribute purchases equitably among qualified suppliers</li> <li>Price considered to be reasonable</li> </ul>	<ul style="list-style-type: none"> <li>Supplies or services</li> </ul>	<ul style="list-style-type: none"> <li>Under \$2,000 for construction (Davis-Bacon)</li> <li>Under \$10,000 for all other purchases</li> </ul>
<b>Small Purchase 2</b> <b>CFR 200.320(b)</b>	<ul style="list-style-type: none"> <li>Price or Rate Quotations - “an adequate number” of sources (at least 3)</li> <li>Submitted Bids</li> </ul>	<ul style="list-style-type: none"> <li>Services (e.g., single task),</li> <li>Supplies (e.g., produced items)</li> <li>Other property</li> </ul>	<ul style="list-style-type: none"> <li>\$250,000 or less for produced items or for non-construction services</li> </ul>

# Methods of procurement

Procurement Type	Solicitation Method	Applications	Dollar Thresholds if applicable
<b>Sealed Bid</b>  <b>Formal Advertising</b>  <b>2 CFR 200.320(c)</b>  <b>** preferred for construction if conditions met</b>	<ul style="list-style-type: none"> <li>Submitted Bids</li> <li><b>Firm fixed price (lump sum or unit price) awarded to bidders who complies with terms and has lowest price</b></li> </ul>	<ul style="list-style-type: none"> <li>Construction Items</li> <li>Produced or Designed Items</li> </ul>	<ul style="list-style-type: none"> <li>All construction contracts in excess of \$2,000</li> <li>Produced or designed items over \$250,000</li> </ul>
<b>Competitive Proposals</b>  <b>2 CFR 200.320(d)</b>  <b>** use when sealed bid conditions not met</b>	<ul style="list-style-type: none"> <li>Submitted Proposals</li> </ul>	<ul style="list-style-type: none"> <li>Professional Services</li> <li>Multi-Task Services</li> <li>Designed Items</li> </ul>	<ul style="list-style-type: none"> <li>Professional Services and/or; Multi-task Services over \$250,000</li> <li>Designed Items over \$250,000 when Sealed Bid is not appropriate</li> </ul>

# Other Requirements

- A non-Federal entity **must not** use a cost-plus-percentage-of-cost or cost-plus-percentage-of-construction-cost method of contracting (2 CFR 200.323(d)).
- Debarment (2 CFR 200.213, [beta.SAM.gov](https://beta.SAM.gov))
- Required Contract Provisions (2 CFR 200.326)
  - Appendix II to Part 200 – Contract Provisions for non-Federal Entity Contracts Under Federal Awards.
- Contracting with small and minority businesses, women's business enterprises
  - (2 CFR 200.321)
- Section 3



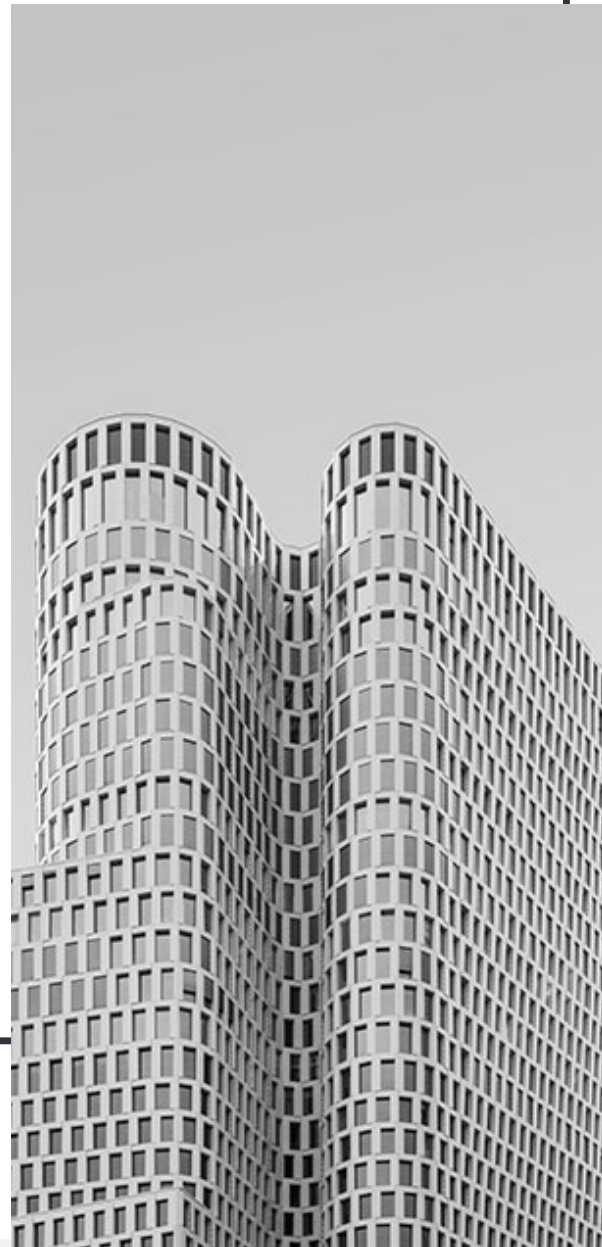
# Construction Contracts \$\$\$\$\$\$

- Small Purchases
  - services, supplies or other items costing **\$5,000.00 or less**
    - \$5,000.00 and \$50,000 the grant recipient must request and receive in writing at least 3 bids or quotes
- Construction contract exceeding \$50,000.00 requires a competitive sealed bid process.
  - Title 61. State public competitive bidding act of 1974
  - No split bidding
- Davis-Bacon Wage Rate Determinations
  - Construction Contractors are required to pay their laborers at the "prevailing wage rate" for any project involving CDBG funds, if the project costs more than \$2,000.00
    - Certified wage rates are valid for 180 days
    - ***10 days prior to bid opening*** to determine if wage decisions included in the bid document are still current



## Competitive Bidding

- bid documents are to provide prospective bidders with sufficient information to know what the exact scope of work, as well as performance requirements, will be.
  - Topographic maps
  - Plans and specifications
  - Required wage rates



## Competitive Bidding

- a. Title VI of the Civil Rights Act of 1964;
- b. Section 3, Housing and Urban Development Act of 1968, as amended;
- c. Section 504 of the Rehabilitation Act of 1973, as amended;
- d. Age Discrimination Act of 1975;
- e. Section 109, Housing and Community Development Act of 1974, as amended;
- f. Section 402, Veterans of Viet Nam Era (if \$10,000.00 or over);
- g. Bonding and Insurance Requirements



# Soliciting Bids

## Bid Notice

- nature of the proposed project in sufficient detail that all bidders will know exactly what their obligations will be
- Basic info
  - name and location (address) of the officer. Date, time and place of bid open.

## Pre-Bid Conferences

- primary purpose of such a meeting is to explain to prospective bidders the requirements of the project and answer any questions of the bidders
  - must be notified at least 10 days prior to holding such a meeting. Notice of Pre-Bid meeting can be included in the Ad for Bid.



# Advertising

## Title 61 State Public Competitive Bidding Act of 1974

Bid Notices: All proposals to award public construction contracts shall be made equally and uniformly known by the awarding public agency to all prospective bidders and the public in the following manner:

1. Notice thereof shall be given by publication in a newspaper of general circulation and published in the county where the work, or the major part of it, is to be done, such notice by publication to be published in two consecutive weekly issues of said newspaper, with the first publication thereof to be at least twenty (20) days prior to the date set for opening bids;
2. Notice thereof shall be sent to trade or construction publications for their use and information whenever the estimated cost of the contract exceeds Fifty Thousand Dollars (\$50,000.00); provided however, that this section shall not be construed as requiring the publication of said notice in such trade or construction publication

# Process for selecting a construction contractor

## A. Bid Opening:

- A. The bids must be opened publicly at the time and place stated in the bid advertisement.
- B. Read aloud and the *apparent* low bidder determined.
- C. Single Bids – require approval from ODOC



# Process for selecting a construction contractor

## A. Evaluation of Responsiveness

- A. Check each proposal to determine that all requirements of the invitation have been met.
- B. Any proposal that fails to pass this threshold test is automatically rejected regardless of price.
- C. Contractor has 30 days from the bid opening date to award a contract or reject all bids.
- D. The Contractor is allowed to extend this period for an additional 90 days, which requires ODOC approval



# PROCUREMENT OF PROFESSIONAL SERVICES

## **Administrative Grant Administrators/Consultants, inspectors other than engineers**

- Request for Qualification Proposal shall be used for the procurement of grant administrators and other professional service providers
- The Grant Recipient may choose to directly solicit from known individuals or firms in place of public advertisement. A minimum of 3 professional service providers must be contacted to obtain proposals.
- If the Grant Recipient chooses to directly solicit these services, they must maintain documentation of the names and dates of the firms or individuals that were contacted.

## **Engineers, Architects, Landscape architects, and Attorneys, etc.**

- **Requests for Qualifications**
- **Public Advertising Requirements vs. Direct Solicitation:**
  - A minimum of 3 professional service providers must be contacted to obtain a statement of qualifications

**NOTE:** Oklahoma State Law requires a licensed architect be used in planning, designing, drawings, and specifications for the alteration, construction, of any building to be used as assembly hall, municipal building, or county building where the reasonable estimated cost is exceeds **\$158,000.00**

**Self-Procurement Warning:** Any Certified Administrator who engages in either of the following practices shall be de-certified consistent with the following procedures listed in the certification regulations: 1. Assisting the municipality or county in the conduct of the procurement process, ultimately resulting in the selection of that administrator to provide CDBG administrative services. 2. Offering to prepare an application to ODOC for CDBG funding assistance with the understanding that no fee for preparing the application will be charged if that administrator is selected to administer the project.

**Exemptions** from Competitive Procurement Requirements: The following are exempt from competitive procurement procedures:

- Administrative Services: In order for the exemption to apply, Grant Recipients must:
  - Furnish ODOC the names of Certified CDBG Administrator or Apprentice employed by Sub state Planning Districts;
- Purchase of equipment or materials from other units of government, including those on state or county contract/bid list(s)
  - The purchase of used fire equipment when the purchase is made from a reputable company dealing in used vehicles that clearly qualifies as emergency equipment.
  - Vehicles that could be converted to use as an emergency vehicle are not included in this provision.
- If a grant recipient chooses to use their leverage/matching funds to pay for engineering, architecture, and/or grant administration, the grant recipient is exempt from ODOC competitive procurement requirements.
- For exemption from all other competitive procurement requirements written approval from ODOC is required.

# File Documentation

- ODOC will want to review documentation for:
  - Procurement of Professional Services
    - Solicitation method & Request for Proposals/Qualifications
    - Review by Board, scoring, and offer extended
    - Contract
    - Be sure to record all efforts of procurement process for each Service
  - Procurement of Construction Services
    - Advertisement for Bids
    - Bid Document & Instructions to Bidders
    - Contract





## Questions & Overview





THANK YOU FOR ATTENDING TODAY!  
SEE YOU TOMORROW FOR DAY 2

# Community Development Block Grant Certified Administrator Training

December 1-2, 2020



**OKLAHOMA**  
Commerce



## Welcome Day 2

---

Please SIGN-IN by providing your  
name and email in the CHAT BOX

OKLAHOMA DEPARTMENT OF COMMERCE  
COMMUNITY DEVELOPMENT BLOCK GRANT  
CERTIFIED ADMINISTRATOR TRAINING

DECEMBER 2, 2020  
VIRTUAL ZOOM MEETING

AGENDA

8:30 – 8:45	Sign – In, Greeting & Opening Remarks	Debbie Wade
8:45 – 9:45	Financial Management Requirement 406	Dekoven Edwards
9:45 -12:00	Contract Development Requirement 407	Robin Slawson
&	Labor Standards & Construction Management Requirement 408	Robin Slawson
12:00 - 1:00	Lunch (1:00 Sign-in with Name into CHAT)	Debbie Wade
1:00 – 3:30	Reporting, Monitoring & Closeout Requirement 409, Common Issues	Christy Davis
3:30 – 4:30	Overview/Testing/Questions**	Kellon Dixon

**\*\*PLEASE PUT ANY QUESTIONS IN THE CHAT BOX FOR DISCUSSION**

- Participants must sign in the CHAT with Name and Email Address to receive presentation & test.
- Email Test – Open Book
- Due back by 5:00 pm, Friday, December 4, 2020, Return completed test to:  
[Debbie.Wade@okcommerce.gov](mailto:Debbie.Wade@okcommerce.gov)
- If participants have any issues with the test, please contact Debbie Wade by email above.

# Financial Management Requirement 406





# INTRODUCTION

---

OKGrants is required for the submission of applications, implementation of projects and subsequent closeout. It is important to note that some documents will be completed on forms that are programmed into OKGrants. Certain documents will be completed by the Grant Recipient and then uploaded into OKGrants. Additional paper documents should be maintained by the Grant Recipient at the Grant Recipient's office. ODOC will provide guidance as to what documentation must be uploaded in OKGrants and which documentation must be maintained at the Grant Recipients office on paper.



# ACCOUNTING SYSTEM REQUIREMENTS

## Accounting Records:

- All Grant Recipients are required by State statute to track Federal dollars by fund. This simply means that a separate set of accounting records must be set up for each CDBG contract received,
- Require that the accounting system can accurately account for the receipt and disbursement of CDBG funds. This ledger format should also be used to account for the receipt and disbursement of leveraged funds.
- A complete set of expense accounts for each budgeted line item, i.e., construction, engineering, administration, etc.
- All entries recorded in the cash disbursements journal must be traceable to some form of source documentation, i.e., invoices, partial pay estimates, employee time sheets, etc. Additionally, all original documentation should be filed in an orderly manner and readily available for review in the event ODOC performs a financial monitoring.
- General ledger must contain:
  - PO #
  - Invoice #
  - Check #

# Accounting Systems:

Grantee may apply their normal accounting systems to CDBG funds, provided that all applicable State and Federal requirements can be met.

**ACCOUNT SET-UP – EFT** The sub-recipient is responsible for providing an account for transfer of CDBG funds. If an account exists but hasn't been used for a while, the account may have been closed by the financial institution, causing a delay in payments. It is strongly recommended that the sub-recipient contact the Oklahoma Management and Enterprise Services agency (OMES) via phone at **405-521-2444** <https://omes.ok.gov/services/purchasing/vendor-registration> or website for account information. Once CDBG funds are requested, they will be automatically deposited by electronic funds transfer (EFT) into the checking account that has been designated for receipt of CDBG funds.

**FUND ACCOUNT** – Funds should be placed in a non-interest-bearing checking account and tracked separately from other funds. If funds are placed in an interest-bearing checking account, the interest must be tracked as well. Any interest earned in a one-year period in excess of **\$500 requires a call to ODOC as these funds will be returned to HUD.**

The one-year tracking begins from the date of the first deposit into the account and recorded on the ledger. Grant Recipients may keep interest amounts up to **\$500 per year, (2 CFR Part 200.305)**, and required to document allowable CDBG administrative expenses in accordance with 24 CFR Part 570.489 and 24 CFR Part 85.21, Interest Earned on Advances.

**CASH ON HAND** - Grant Recipients, both municipalities and counties, are allowed **fifteen (15) working days** to expend CDBG funds. Any money not expended after the maximum time allowed is considered excess cash on hand and must be returned to ODOC.

# Internal Controls

Adequate internal controls must be established to ensure CDBG funds are properly safeguarded. These controls must include the following

- Payment approval procedures must be defined.
- CDBG dollars cannot be placed in a petty cash fund.
- All invoices must be approved by the Municipal Council or Board of County Commissioners prior to payment. You may use an authorized official if normal approval procedures by the Council or Board cannot be used.
- An authorized official is defined as any municipal or county officer or employee the Council or Board gives the authority to approve invoices on their behalf.
- Grant Recipient ordinance must reflect any departure from the normal approval procedures. An authorized official may approve all invoices prior to payment by initialing and dating each invoice;. All paid invoices must be defaced by writing the check number and date paid on each invoice or purchase order. A copy of the approved purchase order must be attached to each invoice.
- **Please note:** purchase orders must be signed and dated prior to ordering goods and services and prior to receipt of the invoice (including contracts). If Council or Board members do not sign purchase orders, documentation of approval of purchase orders as reflected in the meeting minutes must be readily available for review. **Every purchase order issued for invoices paid from CDBG funds must be identified in the meeting minutes.**
- Non-Collusion Affidavits are required to be attached to all contracts for \$25,000 or more

# Purchase Order System

Grant Recipients must use purchase orders as required by **Oklahoma Statute, Title 62, Contracts and Expenditures, §310.1**. Please note that this is not an optional requirement but rather a statutory requirement.

## INVOICES

- The governing body may also authorize the chief executive officer or designee to approve payment of such invoices. In absence of such authority, the governing board shall approve payment.

# Leverage Funds Requirements:

Failure to achieve the promised level of match could affect the basis on which the CDBG contract was awarded.

The term leverage refers to any funds other than CDBG funds to be used on the project. These funds were originally identified in the grant application and were given credit (scoring points) in the rating of that application. Since this commitment was part of the basis upon which ODOC awarded financial assistance, the Grant Recipient is responsible for seeing that those funds are expended on the CDBG project. Failure to expend leverage funds on the project may result in disallowance of any or all CDBG funding.

For economic development projects, financial leverage is defined as new money, recently contributed to the project for the express purpose of implementing the proposed project. The source of the new money may be cash or other valuable consideration, e.g., land, bank loans, proceeds from the sale of stocks or bonds or loans from other public agencies. Private and public investments that do not qualify as financial leverage are existing net worth, existing debt, future operating expenses, and inventory. Additionally, In-Kind Leverage is ineligible.

For community development projects, leverage may consist of cash or in-kind contributions. Cash includes other Federal/State grants and loans and local capital improvement funds set aside for a specified purpose in the Grant Recipient budget.

In-kind includes the value of force account labor, voluntary labor, value of services and supplies provided by another local entity, the fair market value of land, buildings or materials that are a part of the project and the cost of using Grant Recipient owned equipment.

Documentation of leveraged funds must be maintained on file by the Grant Recipient for review.

## Allowable and Unallowable Expenses:

**The most important thing to remember is that you can only expend funds on the items that are listed in the detailed budget submitted with your application for funding.**



# Financial Management Files

All dollars spent on contract must be accounted for and be able to identified on general ledger

The financial management file should be readily available for any ODOC staff for inspection during a CDBG monitoring visit.

- CDBG General Ledger
- CDBG and leveraged fund bank statements
- Cancelled checks or photocopy representation of the checks or warrants that were issued
- Invoices/purchase orders
- Board/Council meeting minutes indicating approval of the payments.

# Draw down schedule

New schedule

- E. Payments by Contractor for administrative services will be made in conformance with the following schedule:

<u>Maximum Fee (Cumulative)</u>	<u>Activity</u>
20%	Release of Funds achieved within 120 days
5%	Release of Funds achieved greater than 120 days
20%	Construction started within 270 days
5%	Construction started greater than 270 days
40%	Construction as project funds are expended (Pro rata)
20%	Submission and acceptance of Final Closeout documents

- F. If a question arises as to the validity of any claim made under this contract and the parties are unable to resolve such question by negotiation, then the Contractor may request a resolution of the question pursuant to the terms of this contract and the administrative procedures available through ODOC rules promulgated pursuant to the Oklahoma Administrative Procedures Act, 75 O.S. §§250, et seq.

# Drawing Down Funds

Pay Request and advances

All requests for payments must be entered into OKGrants. Hard copies will not be accepted. Grant Recipients may request a drawdown of funds necessary to meet immediate needs. This is accomplished through the submission of a Request for Funds initiated and submitted by utilizing OKGrants

# Cdbg Monthly Expenditure Reports

## Monthly Expenditure Report

➤ must be entered on OKGrants by the **10th of every month** following a month in which there has been a draw, expenditure, or cash balance of CDBG funds.

➤ Leverage expenditures must also be included

Leverage expenditures must be reported when incurred, if there has not been an expenditure of leverage funds please place a zero in the appropriate line item. If there are no CDBG expenses to report during the month, a report for leverage expenditures only must be submitted if leveraged expenditures occurred. Along with the submitted Leverage Expenditure Report, supporting documentation such as invoices, receipts and cancelled checks must be uploaded in OKGrants.

Timely submission of the Monthly Expenditure Report is important. Requests for funds will not be processed if there are any delinquent reports outstanding.

# Audit Requirements

Audits should be uploaded on OKGrants in a PDF file. Hard copies will be accepted if necessary

Each ODOC contract includes an audit requirement.

Several factors affect the audit that is required including:

1. Whether the jurisdiction is a municipality or county (**11 O.S. Subsection 17-105 or 19 O.S. Subsection 171**);
2. The total level of funding received in a given year from all sources; and the total level of federal funds expended in a given fiscal year.
3. If the Grant Recipient's annual revenue is \$25,000 or more in funds (from any and all sources), it must conduct an annual audit of all funds received which complies with the Oklahoma statute; or
4. If the Grant Recipient's revenue is \$25,000 or more, but it's population is less than 2,500, it has the option of having an agreed upon procedures agreement conducted by an independent licensed public or certified accountant in lieu of an independent audit as cited in **O.S. 17-105**; or
5. **2 CFR Part 200.501** - If the Grant Recipient expends **\$750,000** or more per fiscal year in federal funds, a **single audit** must be conducted in accordance with §200.514 Scope of audit or can elect to have a program specific audit conducted.

# Requirement 407

## Contract Development





# Specific Contract Requirements

- **Non-Construction Contracts**

The Grant Recipient should carefully review the citations noted in **Attachment 22** to determine which provisions will be required in any non-construction contract utilized during the course of the project.

- **Requirement 404 for affirmative action**
- **Section 504**
- **Section 3 requirements**

- **Construction Contracts**

The construction contract will include all items included in the bid package as well as the standard terms and conditions, construction contractor certifications and bond and insurance forms. As this is a legal document, the Grant Recipient is strongly advised to consult legal counsel and obtain the attorney's signed letter certifying the review of documents. Remember: Neither the cost-plus-a-percentage nor percentage-of-construction cost method of contracting is allowed.

**Appendix II to Part 200.326** – Contract Provisions for non-Federal Entity Contracts Under Federal Awards – In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable:

- a) **Contracts for more than the simplified acquisition threshold currently set at \$150,000**, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- b) **All contracts in excess of \$10,000** must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
- c) **Equal Employment Opportunity**. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”
- d) **Davis-Bacon Act**, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or sub recipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.
- e) **Contract Work Hours and Safety Standards Act** (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- f) **Rights to Inventions Made Under a Contract or Agreement**. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or sub recipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or sub recipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.
- g) **Clean Air Act** (42 U.S.C. 7401-7671q.) and the **Federal Water Pollution Control Act** (33 U.S.C. 1251-1387), as amended—Contracts and sub grants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- h) **Debarment and Suspension** (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” **SAM Exclusions** contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- i) **Byrd Anti-Lobbying Amendment** (31 U.S.C. 1352)—**Contractors that apply or bid for an award exceeding \$100,000 must file the required certification**. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

# INTERLOCAL AGREEMENTS

- The grantee (City, Town, County) may need to enter into an agreement with another local entity (i.e., Rural Water District, fire district) a Memorandum of Understanding or interlocal cooperative agreement that details the scope of work, budget, timeframe, etc., is required
- Grantee must oversee the other entity's performance under the contract.

# Construction Management

- Construction Phase occurs in 2 Phases
  - Pre-construction conference and start of construction
  - Monitoring construction progress, including labor compliance.



# Contractor Debarment Review Forms

## Oklahoma Department of Commerce CDBG Programs

### CONTRACTOR DEBARMENT REVIEW CERTIFICATION (Must be submitted with bid proposal)

CDBG Grantee Name (Owner) and Project Type	CDBG Project Number

#### ATTENTION ALL BIDDERS:

All CDBG sub-recipients (Cities, Towns, or Counties) are required to conduct debarment reviews on all services procured with CDBG funds by checking the System for Award Management (SAM) website, [www.sam.gov](http://www.sam.gov), to determine if a potential contractor is excluded from receiving Federal contracts.

A contractor must be registered and updated in the SAM.gov system as this review is conducted by the Owner before any contract award is executed.

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension; 7 CFR Part 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989 Federal Register (pages 4722-4733).

- The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective shall attach an explanation to this proposal.

Certified by:

Name & Title (Please Print)	Date

Signature	Date
Duns Number	

## Oklahoma Department of Commerce CDBG Programs Grantee Debarment Review and Certification

All CDBG sub-recipients are required, by the regulations implementing 24 CFR Part 85.35, to conduct debarment reviews on all services procured with CDBG funds before any contract award is executed. These reviews shall be conducted by using the System for Award Management (SAM) website, [www.sam.gov](http://www.sam.gov), to determine if the potential contractor is excluded from receiving Federal contracts by using the QUICK SEARCH tool with the DUNS number for that entity; Save/Print the results. Complete this form and attach the SAM results along with the Notice of Award and Contractor's Certification form from the Bid/Proposal documents.

CDBG Grantee Name and Project Type		CDBG Contract Number	
*Contractor			
Address		Phone	
City	State	Zip Code	73166
Contractor's DUNS Number			
Debarment Review Completed By			
Title of Reviewer			
Reviewer's Organization			
Chief Elected Official			
Title of Chief Elected Official			

By signing this certification, both the Reviewer and the Chief Elected Official certify all necessary actions were taken to complete the debarment check and that the contractor listed above is not suspended or debarred from conducting business with, or receiving funding from, the United States government under E.O. 12549.

Signature of Reviewer	Date
Signature of Chief Elected Official	Date

Please upload this document along with other required documentation into OK-Grants "Release of Funds" and submit using the Notice of Award status. Keep the originals in the CDBG project file.

\*Contractor is any entity or individual directly procured for contract services by the sub-recipient (grantee), (City, Town, or County), under this CDBG contract award and must be registered in the SAM.gov system.



# Notice of Contract Award

- Completed form must be uploaded in OKGrants Release of Funds section with debarment forms.
  - A formal method whereby the Grant Recipient reports the execution of contracts
  - Notice captures information necessary for HUD reporting
  - Requires Action in OKGrants within **seven (7) days** of execution by all parties.
  - Must include the excluded party form and supporting document review in SAM.gov
- ✓ Note: A request for payment of construction funds will not be processed in OKGrants until the Notice of Award and Sam.gov review has been received.

## NOTICE OF CONTRACT AWARD

TO: _____	CDBG Contract No. _____
_____	Project Description: _____
_____	_____
Phone#: _____	Wage Rate Dec. # _____
Duns #: _____	Mod # _____ Date _____
FEI #: _____	_____

### B. Acceptance of Bid:

The Owner has considered the bid submitted by you for the described work in response to the Advertisement for Bids dated \_\_\_\_\_ and \_\_\_\_\_ and in the Information for Bidders, and opened on \_\_\_\_\_, 20\_\_\_\_. You are hereby notified that your bid has been accepted for bid items in the amount of \$\_\_\_\_\_. If you fail to execute said agreement and furnish applicable bonds and insurance within ten (10) days from the date of this notice, said Owner will be entitled to consider all your rights arising out of the Owner's acceptance of your bid as abandoned and as a forfeiture of your bid bond. The Owner will be entitled to such other rights as may be granted by law. You are required to return an acknowledged copy of this Notice of Award to the Owner.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Name of Grantee: \_\_\_\_\_

Signature of Authorized Official: \_\_\_\_\_

Typed Name & Title: \_\_\_\_\_

### C. Contractor Information:

1. Type of Trade: ☐ Construction ☐ Other Service (\_\_\_\_\_)
2. Business Ownership: ☐ Black or African Americans; ☐ Asians, Hispanics, or Latinos; ☐ American Indian or Alaskan Natives; ☐ Native Hawaiian or Other Pacific Islanders; ☐ Whites.
3. Minority/Women Owned Business: Yes ☐ No ☐
4. Section 3 Contractor: Yes ☐ No ☐

Acknowledged by: \_\_\_\_\_ Date \_\_\_\_\_  
(Contractor Signature)

**\*\*Contractor Debarment Review Certification Form and Grantee Debarment Review and Certification Form MUST be attached with this Notice of Contract Award\*\*\*\***



# Bonding

- Bonds are negotiable instruments required from construction contractors as a form of insurance. State law requires that, for project contracts over \$50,000 construction contractors must secure a maintenance bond, a performance bond and a payment bond from surety companies. [61 O.S. §113] These surety bonds are then turned over to the Grant Recipient to protect against situations such as:
  - Construction contractor bidding low and then, prior to contract execution, requesting a price adjustment due to "unforeseen" events
  - Work not completed as specified and/or the construction contractor refusing to finish the work without a change order or price escalation
  - Laborers or subcontractors not being paid for work and suing the Grant Recipient to recover their loss
  - Payment of liquidated damages arising from labor standards violations
  - Bonding requirements must be satisfied prior to finalizing contract award
  - The law also requires that construction contractors provide public liability and workers' compensation insurance during construction in reasonable amounts.

# Construction Management

## Change Orders

### Lump Sum Bids

- Allowed if change order does not increase the original contract amount by more than 15%. Change orders or cumulative change orders which exceed 15% shall require re-advertising of bids

### Unit Price Bids (most common)

- Does not require re-advertising



# Requirement 408 Labor Standards

**Construction Bidding & Labor requirements**



# Labor Laws and Requirements

- **Davis Bacon Act** - triggered when construction work over \$2,000 is financed in whole or in part with CDBG funds. It requires that workers receive no less than the prevailing wages being paid for similar work in the same area.
- **Copeland Anti-kickback Act** - requires that workers be paid weekly, that deductions from workers' pay be permissible, and that contractors maintain and submit weekly payrolls.
- **Contract Work Hours and Safety Standards Act** - applies to contracts over \$100,000 and requires that workers receive overtime compensation (time and one-half pay) for hours they have worked in excess of 40 hours in one week.
- **Section 3 of the Housing and Urban Development Act of 1968** - as amended requires the provision of opportunities for training and employment that arise through HUD-financed projects to lower-income residents of the project area. Also required is that contracts be awarded to businesses that provide economic opportunities for low- and very low-income persons residing in the area.

**NOTE:** Under the labor laws, the prime or general contractor is responsible for full compliance with applicable requirements, including all employers/subcontractors on the project. ODOC and Grantee are responsible for the administration and enforcement of the requirements to ensure compliance.

# Grantee Responsibilities - Construction

## Administrative Duties:

- Preparation and/or oversight to ensure bid docs, contracts, subcontracts contain the following:
  - Federal Labor Standards/clauses
  - Applicable Wage Decisions
  - Advertisement for Bids
  - Pre-bid information/addendums as applicable
  - Bid opening & bid tabulations
    - Bid bond, section 3 plan, addendums
  - Verify contractor eligibility (OKGrants Action)
  - Issue a Notice of Award (OKGrants Action)
  - Conduct a Pre-construction Conference
    - Additional wage classifications needed
    - Discuss grant payment schedule
    - Week payroll submission / employee interviews
  - Bonding, Insurance, Contract execution
  - Issue a Notice to Proceed
  - Review Invoices/Change Orders/Budget

## Enforcement Duties:

- Conduct on-site employee interviews with laborers
  - One employee in each job classification or at least 10% recommended
- Document compliance with posting requirements
  - on-site posters/wage rates/EEO, etc.
- Review Certified Weekly Payrolls for compliance
  - Payroll deduction authorization form
  - Determine wage restitution as applicable -
    - Payment violations between \$100-\$1000 must be reported to ODOC
  - Require construction contract to provide supplemental payrolls to make restitution, retained a copy of canceled check
  - If construction contractor refuses to pay, sub-recipient must withhold funds to pay restitution
  - If over \$1000 must be reported to DOL

**Keep all documents and review efforts on file and available for monitoring review by ODOC. Some documents may be required for upload into OKGrants.**

# Davis Bacon Act

Any construction activity estimated in excess of \$2000 must comply with the Davis Bacon Act and provide the applicable prevailing wage rate in the project bid document.

The prevailing rates can be obtained here: <https://beta.sam.gov/>

 An official website of the United States government [Here's how you know](#) 

Authoritative site for Assistance Listings, Wage Determinations, and Contract Opportunities only

 **SAM**<sup>beta</sup>GOV

 Sign in

Wage Determinations 

oklahoma 

Search



# Wage Rate Decisions

The Davis-Bacon wage decision that applies to a project contains a schedule of work/job classifications and the minimum wage rates that must be paid to persons performing particular jobs. Some wage decisions cover several counties and/or types of construction work;

1. **Building** construction generally includes construction of sheltered enclosures with walk-in access for housing persons, machinery, equipment or supplies. This includes all construction within and including the exterior walls, both above and below grade.
2. **Residential** projects involve the construction, alteration or repair of single-family houses or apartment buildings no more than four stories tall.
3. **Heavy** construction is generally considered for all construction not properly classified as highway, residential, or building. Water and sewer line construction will typically be categorized as heavy construction.
4. **Highway** projects include construction, alteration or repair of roads.

# Wage Determinations



## Wage Determinations Search



The Wage Determination filters to the left ask a series of questions to determine if the best WD is available on the site. If any criteria such as a specific location is not present or the non-standard service does not strictly apply, please click [here](#) to submit an e98 form. Users should note that the only WDs applicable to a particular solicitation or contract are those that have been incorporated by the contracting officer in that contract action.

[DBA Rollover Crosswalk](#)

[DBAs to be revised](#)

### Wage Determination Type

- ☒ Davis-Bacon Act (DBA)
- ☐ Service Contract Act (SCA)
- ☐ Collective Bargaining Agreement (CBA)

### Location

#### Select State

Oklahoma



#### Select County/Independent City

Hughes



### DBA: Construction Type

#### Select Construction Type

Highway



Highway

## Search Results

Showing 1 - 1 of 1 results

Sort By

Relevance



### Davis-Bacon Act WD #: **OK20200020**

#### State

Oklahoma

#### County/ies

Atoka, Bryan, Carter, Choctaw, Coal, Garvin, Haskell, Hughes, Johnston, Latimer, Love, Marshall, McCurtain, Murray, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Seminole

#### Wage Determination

#### Modification #

0

#### Construction Type

Highway

#### Published Date

Jan 02, 2020

# Wage Rate Determination

## Wage Determination

Overview

Document

History

What you think matters!

Provide Feedback

## WAGE DETERMINATIONS

### Davis-Bacon Act WD # OK20200020

Wage Determination

Modification #

0

Construction

Highway

Published Date

Jan 03, 2020

## States and Counties

State

Oklahoma

Counties

Atoka, Bryan, Carter, Choctaw, Coal, Garvin, Haskell, Hughes, Johnston, Latimer, Love, Marshall, McCurtain, Murray, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Seminole

## Document

Download

Print

"General Decision Number: OK20200020 01/03/2020

# OKGrants Action:

Wage Rate Decision – In addition to completing the Wage Determination Request, as this pushes this action to ODOC, it is now required to also upload the decision rate(s) from

<https://beta.sam.gov>

Forms

Status	Page Name
Release of Funds	
	<a href="#">Request for Authority to Use Grant Funds</a>
	<a href="#">Notice of Removal of Contract Conditions And authority to Use Grant Funds (Release of Funds, ROF)</a>
	<a href="#">Wage Determination Request Form</a>
	<a href="#">Uploads (ODOC Only)</a>
	<a href="#">Uploads (Grantee ROF)</a>
	<a href="#">Modification Comments</a>

Davis-Bacon Wage Rate Determination Information:

Wage Determination and Mod #: (ex. OK00035 Mod #0)

Wage Determination and Mod #:

Wage Determination and Mod #:

OK190040 Mod #1 Bldg\*

OK190040 Mod #2 Bldg

Date: 03/22/2019

Date: 07/26/2019

Date:

Paste Wage Rate in this box.

10 Day Call made on 9/24/19 - Mod #2 Above.

Modification Number

Publication Date

0

01/04/2019

1

03/22/2019

2

07/26/2019

BOIL0592-001 01/01/2017

Rates

Fringes

BOILERMAKER.....\$ 28.4721.88

**Federal Exclusions** – Before any contract award can be made under a federal award, the agency/contractor must provide a DUNS Number. This number is then used to perform a check in the <https://beta.sam.gov> system for excluded parties. If the agency/contractor is found to have an exclusion, the awarding Town should notify the contractor for resolution or an award cannot be made.

An official website of the United States government [Here's how you know](#) Authoritative site for Assistance Listings, Wage Determinations, and Contract Opportunities only

**SAM<sup>beta</sup>GOV**

Entity Information Exclusions Search

Change Filters Clear All

**Status**  
☒ Active Only  
Note: inactive exclusions are not shown

**Keywords**  
exclusions

Clear All

**Disaster Response Registry**  
☐ Participants Only

**Record Type**  
☒ Registrations  
☒ Exclusions

Entity Name/Unique Entity ID (DUNS)  
DUNS Unique Entity ID  
Search DUNS

**Search Results**  
Showing 1 - 10 of 66,437 results

**MICHAEL SMITHEY**  
Address  
TALLEDEGA , AL 35160

**CYNTHIA COOLEY**  
Address  
MARIANNA , FL 32447

**MICHAEL MILLER**  
Address  
HATTIESBURG , MS 39401

Sort By Relevance

Exclusion  
Classification  
Individual  
Activation Date  
Aug 13, 2017  
Termination Date  
Aug 12, 2022

Exclusion  
Classification  
Individual  
Activation Date  
Dec 8, 2017  
Termination Date  
Dec 8, 2020

Exclusion  
Classification  
Individual  
Activation Date

# Apprentices and Helpers

- Can be compensated at less than the Davis Bacon prevailing wage
- Must be registered in bona fide apprenticeship program
- Trainees must be in a training program
- Helpers are not recognized unless they are contained in the wage determination or a conformable rate has been approved by the USDOL





## Additional wage rate classifications...

- Contractors are to submit additional classification requests directly to the contracting agency (Grantee) for the construction project for submission to DOL
- These requests are submitted “after” the construction contract is signed.
- Completed forms will need to be sent to HQ DOL, Wage and Hour Division, Washington, DC at [whd-cbaconformance\\_incoming@dol.gov](mailto:whd-cbaconformance_incoming@dol.gov)
- Standard Form SF 1444
  - <https://www.gsa.gov/cdnstatic/SF1444-13c.pdf?forceDownload=1>
- For questions please contact our DOL Rep:
  - Fannie Woods at 314-418-5261, her email is [Fannie.J.Woods@hud.gov](mailto:Fannie.J.Woods@hud.gov)

<b>REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND RATE</b>		CHECK APPROPRIATE BOX <input type="checkbox"/> SERVICE CONTRACT <input type="checkbox"/> CONSTRUCTION CONTRACT	AUTHORIZED FOR LOCAL REPRODUCTION  <b>OMB Control Number: 9000-0089</b> <b>Expiration Date: 10/31/2019</b>
<p><b>PAPERWORK REDUCTION ACT STATEMENT:</b> Public reporting burden for this collection of information is estimated to average .5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to U.S. General Services Administration, Regulatory Secretariat (MVCB)/C 9000-0089, Office of Governmentwide Acquisition Policy, 1800 F Street, NW, Washington, DC 20405.</p> <p><b>INSTRUCTIONS:</b> THE CONTRACTOR SHALL COMPLETE ITEMS 3 THROUGH 16, KEEP A PENDING COPY, AND SUBMIT THE REQUEST, IN QUADRUPLETE, TO THE CONTRACTING OFFICER.</p>			
1. TO: ADMINISTRATOR, WAGE AND HOUR DIVISION U.S. DEPARTMENT OF LABOR WASHINGTON, DC 20210		2. FROM: (REPORTING OFFICE) <div style="background-color: #cccccc; height: 20px;"></div>	
3. CONTRACTOR <div style="background-color: #cccccc; height: 20px;"></div>		4. DATE OF REQUEST <div style="background-color: #cccccc; height: 20px;"></div>	
5. CONTRACT NUMBER <div style="background-color: #cccccc; height: 20px;"></div>	6. DATE B/D OPENED (SEALED BIDDING) <div style="background-color: #cccccc; height: 20px;"></div>	7. DATE OF AWARD <div style="background-color: #cccccc; height: 20px;"></div>	8. DATE CONTRACT WORK STARTED <div style="background-color: #cccccc; height: 20px;"></div>
9. SUBCONTRACTOR (IF ANY) <div style="background-color: #cccccc; height: 20px;"></div>		10. DATE OPTION EXERCISED (IF APPLICABLE) (SERVICE CONTRACT ONLY) <div style="background-color: #cccccc; height: 20px;"></div>	
11. PROJECT AND DESCRIPTION OF WORK (ATTACH ADDITIONAL SHEET IF NEEDED) <div style="background-color: #cccccc; height: 40px;"></div>			
12. LOCATION (CITY, COUNTY AND STATE) <div style="background-color: #cccccc; height: 20px;"></div>			
13. IN ORDER TO COMPLETE THE WORK PROVIDED FOR UNDER THE ABOVE CONTRACT, IT IS NECESSARY TO ESTABLISH THE FOLLOWING RATE(S) FOR THE INDICATED CLASSIFICATION(S); NOT INCLUDED IN THE DEPARTMENT OF LABOR DETERMINATION NUMBER: _____ DATED: _____			
a. LIST IN ORDER: PROPOSED CLASSIFICATION TITLE(S); JOB DESCRIPTION(S); DUTIES; AND RATIONALE FOR PROPOSED CLASSIFICATIONS. (Service contracts only) <small>(Use reverse or attach additional sheets, if necessary)</small>		b. WAGE RATE(S)	
c. FRINGE BENEFITS PAYMENTS			
14. SIGNATURE AND TITLE OF SUBCONTRACTOR REPRESENTATIVE (IF ANY) <div style="background-color: #cccccc; height: 20px;"></div>		15. SIGNATURE AND TITLE OF PRIME CONTRACTOR REPRESENTATIVE <div style="background-color: #cccccc; height: 20px;"></div>	
16. SIGNATURE OF EMPLOYEE OR REPRESENTATIVE <div style="background-color: #cccccc; height: 20px;"></div>		TITLE <div style="background-color: #cccccc; height: 20px;"></div>	
		CHECK APPROPRIATE BOX(ES) REFERRING BLOCK 13. <input type="checkbox"/> AGREE <input type="checkbox"/> DISAGREE	
<b>TO BE COMPLETED BY CONTRACTING OFFICER (CHECK AS APPROPRIATE - SEE FAR 22.1019 (SERVICE CONTRACT LABOR STANDARDS) OR FAR 22.406-3 (CONSTRUCTION WAGE RATE REQUIREMENTS))</b> <input type="checkbox"/> THE INTERESTED PARTIES AGREE AND THE CONTRACTING OFFICER RECOMMENDS APPROVAL BY THE WAGE AND HOUR DIVISION. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED. <input type="checkbox"/> THE INTERESTED PARTIES CANNOT AGREE ON THE PROPOSED CLASSIFICATION AND WAGE RATE. A DETERMINATION OF THE QUESTION BY THE WAGE AND HOUR DIVISION IS THEREFORE REQUESTED. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED. <small>(Send 3 copies to the Department of Labor.)</small>			
SIGNATURE OF CONTRACTING OFFICER OR REPRESENTATIVE <div style="background-color: #cccccc; height: 20px;"></div>		TITLE AND COMMERCIAL TELEPHONE NUMBER <div style="background-color: #cccccc; height: 20px;"></div>	
		DATE SUBMITTED <div style="background-color: #cccccc; height: 20px;"></div>	
PREVIOUS EDITION IS USABLE			

**STANDARD FORM 1444** (REV. 4/2013)  
Prescribed by GSA-FAR (48 CFR) 53.222(f)



## Sub-Recipient – Compliance Monitoring Requirement

The UGLG's "Labor Standards Officer" must monitor the performance of all contractors in complying with the wage rates and other requirements. The UGLG, any agent working on behalf of the UGLG, and/or the "Labor Standards Officer" has the right to request any additional information from the contractors and subcontractors working on a CDBG funded project to verify compliance with federal labor standards regulations. This information includes, but is not limited to job classification, payroll, benefits and deductions.

To verify compliance, the following steps should be performed by, or on behalf of, the UGLG:

1. Make sure that each contractor and sub-contractor submits, **on a weekly basis**, payroll records and statements of compliance as required by the law, and that these documents contain all the required information.
  - Payrolls must be numbered sequentially from first to final and must be submitted within seven days after the end of the pay period. Identify the first and final payrolls by the words "First" and "Final."
2. Review the payrolls weekly to make sure that,
  - at least the minimum wages and fringe benefits as specified in the wage decision are paid to each employee and that any overtime worked is paid at the overtime rate. Fringe benefits **include** health insurance, retirement, life insurance, vacation. Fringe benefits **do not include** employer payments or contributions required by other federal, state, or local laws, such as the employer's contribution to Social Security or some disability insurance payments.
3. Review the payrolls weekly to make sure that,
  - no deductions are made from any employee's pay other than those permitted by DOL Regulations [29 CFR 3]. These regulations prohibit the employer from requiring employees to "kick-back" any of their earnings. Allowable deductions include employee obligations for income taxes, Social Security payments, insurance premiums, retirement, savings account, and any other legally-permissible deduction authorized by the employee in writing (Payroll Deduction Form 8.5 ODOC CDBG Project Management Guide).
4. Review the payrolls weekly to make sure that,
  - employee classifications conform to the wage decision and rates.

5. Apprentices and trainees may be paid less than the full journeyman rate only if they are registered in bona fide programs approved by and registered with the Employment and Training Administration of the USDOL.
  - Make sure all necessary apprenticeship indentured papers and training certifications have been filed for employees on the job, and that the documents are valid.
6. Interview workers on the job using the **HUD-11 Employee Interview Form** (English & Spanish versions are available) to determine if the wages paid and/or the classification reported by the contractor are correct and correspond to the payrolls submitted.
7. Employees should be encouraged to produce pay stubs that document the wages received. Do this in such a way as not to interfere with the conduct of the work and so as to provide reasonable privacy.
  - It is recommended to interview at least one of each classification of worker on the job for each contractor and sub-contractor. More than one is desirable as assurance that the requirements continue to be met.
8. For persons classified as apprentices or trainees, get a detailed statement of duties and tools used. Compare the interview data with the corresponding payrolls to identify any discrepancies.
9. Check the work site to make sure that the required wage rates and other required posters are posted in a clearly visible location.
10. Keep the site investigation report, payroll sheets, certifications, and employee interviews in the labor standards file for compliance monitoring.



<https://www.youtube.com/watch?v=wI9ekEHoAvg>

### How to Correctly Fill Out a WH-347 Payroll Form for CDBG Projects

The Completion of the WH-347 Payroll Form is optional; contractors may utilize their own payroll system as long as it conforms to the WH-347 Payroll Form and contains all the necessary information.

Check one of the boxes and list the name of contractor or subcontractor

The last day of the payroll period.

Fill out completely with contractor or subcontractor address

payrolls must be numbered sequentially and should be based on the weeks worked under a contract.  
Type the word "Final" when the last payroll is submitted for the project.  
No skipping weekly numbered reports:  
Include a numbered report for all weeks even ones not worked.

Indicate the days and dates of the pay period.  
(should match week ending directly above)

The name and location of project.

The prime contractor should include the GRANT PROJECT number as listed in the CDBG Bid Documents.

**U.S. Department of Labor**  
Employment Standards Administration  
Wage and Hour Division

**PAYROLL**  
(For Contractor's Optional Use; See Instructions at [www.dol.gov/esa/whd/forms/wh347instr.htm](http://www.dol.gov/esa/whd/forms/wh347instr.htm))  
*Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.*

**WHD**  
U.S. Wage and Hour Division  
Rev. Dec. 2008

NAME OF CONTRACTOR ☐ OR SUBCONTRACTOR ☐ ADDRESS 385 West Drive, Madison WI 53703 OMB No. 1215-0149 Expires: 12/31/2011

Sample Construction Company

PAYROLL NO. 8 FOR WEEK ENDING 04/24/2010 PROJECT AND LOCATION Robin Street Apartments, Delafield WI 53018 PROJECT OR CONTRACT NO. 3000

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGIT OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
			Sun	Mon	Tue	Wed	Thurs	Frid	Sat				FICA	WITH- HOLDING TAX	State with- holding tax	Medicare	OTHER		TOTAL DEDUCTIONS
Alex Driver - #####	2	Power Equipment Bull Dozer Group 2	0						2.00	2.00	\$62.83	\$1,422.84	\$161.00	\$185.15	\$156.97	\$50.31	\$85.00	\$442.43	\$1,374.03
			8.00	8.00	5.50	6.00			27.50	15.85	\$2,012.46								

Source:  
<https://www.nh.gov/dot//org/administration/ofc/documents/HowtoCorrectlyFillOutaWH-347PayrollForm2.pdf>



List each worker's name  
Only laborers and mechanics  
performing construction work  
under the contract should be  
listed.

Please note: Business Owners  
need only include their name,  
work classification including  
"owner" and the daily total hours  
worked.

Specify the job classification  
located in the contract wage  
decision and/or the  
corresponding job title.

List hourly wage rate and  
fringes paid in cash  
(not those paid to plans)

Specify the net  
amount paid to the  
employee for the pay

(For Contractor's Optional Use; See Instructions at [www.dol.gov/esa/whd/forms/wh347instr.htm](http://www.dol.gov/esa/whd/forms/wh347instr.htm))

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER		NO. OF WITHHOLDING EXEMPTIONS	WORK CLASSIFICATION	(4) DAY AND DATE							TOTAL HOURS	(5) RATE OF PAY	(6) GROSS AMOUNT EARNED	(8) DEDUCTIONS					TOTAL DEDUCTIONS	NET WAGES PAID FOR WEEK
				HOURS WORKED EACH DAY										FICA	WITH-	STATE	FEDERAL	TOTAL		
				Sun	Mon	Tue	Wed	Thur	Frid	Sat										
Alex Driver - #####		2	Power Equipment Bull Dozer Group 2	o					2.00		2.00	\$62.83	\$125.66	\$161.00					\$161.00	\$1,374.03
Jason Worker - #####		2	General Laborer	o		8.00	8.00	5.50	6.00		27.50	\$13.32	\$366.30	\$136.06					\$366.30	\$1,233.07
Shawn Worker - #####		2	Carpenter	o					1.50		1.50	\$60.19	\$90.28	\$111.00	\$154.77	\$128.35	\$47.19	\$438.11	\$1,406.18	
			Apprentice Carpenter 1st 6 mo. at 40%	o								\$32.72	\$1,064.72	\$85.18	\$105.41	\$90.50	\$26.62	\$307.71	\$757.01	
			Plumber	o		8.00		4.00	8.00		20.00	\$35.28	\$705.60							
Roy Wrench - #####		5	Steamfitter	o								\$69.13	\$1,038.40	\$163.46	\$147.11	\$118.51	\$51.08	\$480.16	\$1,563.04	
				s		8.00	8.00	4.00			20.00	\$34.41	\$688.20							
Bart Turner - #####		1	Power Equipment Rotary Drill Group 4	o								\$60.80	\$719.28	\$113.14	\$142.48	\$122.33	\$35.98	\$413.93	\$1,023.27	
				s		8.00	8.00		8.00		24.00	\$29.97	\$719.28							
				o																
				s																

Specify the total  
overtime and straight  
time hours worked on  
the project.

Must accurately reflect  
overtime and straight time  
hours worked under the  
contract.

Specify the gross earnings for the hours  
worked under the contract.

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the collection of information unless it displays a currently valid OMB control number. 40 U.S.C. § 3145 contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid to workers on the project." 29 C.F.R. § 5.5(a)(3)(i) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" certifying that the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information for compliance with the Davis-Bacon Act.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and reviewing and editing the collection of information.



If part of a worker's weekly wage was earned on projects other than the project described on this payroll, enter the gross amount earned on this contract in the top half of column 7. Enter the gross amount earned during the week for all projects in the bottom half.

Alex Driver worked 29.5 hours on this contract and 12.5 hours on another contract. The gross wages earned on this project, \$1,422.84, is entered in the top half of column 7. The gross wages earned on all projects, \$2,012.46, is entered in the bottom.

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE								TOTAL HOURS	RATE OF PAY	GROSS AMOUNT EARNED	DEDUCTIONS					TOTAL DEDUCTIONS	NET WAGES PAID FOR WEEK
			HOURS WORKED EACH DAY											FICA	WITH- HOLDING TAX	State with- holding tax	Medicare	OTHER		
			Sun 18	Mon 19	Tue 20	Wed 21	Thur 22	Fri 23	Sat 24											
Alex Driver - #####	2	Power Equipment Bull Dozer Group 2						2.00		2.00	\$62.83	\$1,422.84	\$61.00	\$185.15	\$156.97	\$50.31	\$85.00	\$638.43	\$1,374.03	
Jason Worker - #####	2	General Laborer			8.00	8.00	5.50	6.00		4.00	\$49.20	\$1,700.78	\$35.05	\$156.47	\$132.66	\$42.52		\$467.71	\$1,233.07	
Sharon Wood- #####	3	Carpenter						1.50			\$60.19	\$1,887.49	\$151.00	\$154.77	\$128.35	\$47.19		\$481.31	\$1,406.18	
Reggie Tree - #####	1	Apprentice Carpenter 1st 6 mo. at 40%			8.00	8.00	8.00	8.00			\$32.72	\$1,064.72	\$85.18	\$105.41	\$90.50	\$26.62		\$307.71	\$757.01	
Roy Wrench - #####	5	Plumber									\$67.88	\$1,004.80								
Roy Wrench - #####	5	Steamfitter									\$69.13	\$1,038.40	\$163.46	\$147.11	\$118.51	\$51.08		\$480.16	\$1,563.04	
Bart Turner - #####	1	Power Equipment Rotary Drill Group 4			8.00	8.00		8.00			\$60.80	\$719.28	\$115.41	\$142.48	\$122.33	\$35.98		\$415.53	\$1,023.27	

If an employee performs multiple work

If an employee performs multiple work classifications under the contract, use two or more lines to distinguish the different job classifications, hours worked, and hourly wage earned for each.

Combine the two classifications when recording the gross amount earned for this pay period, deductions, and net wages.

A registered apprentice performing work under a contract must be reported. The payroll must include the current pay scale & provide a copy of the apprenticeship agreement.

Provide explanation of "other" deductions on signatory page.

### PAYROLL

Optional Use; See Instructions at [www.dol.gov/esa/whd/forms/wh347](http://www.dol.gov/esa/whd/forms/wh347)

provided to respond to the collection of information unless it displays a currently valid OMB control number.

ADDRESS 385 West Drive, Madison WI 53703

Division 108  
5-0149  
Expires: 12/31/2011

PROJECT AND LOCATION  
Robin Street Apartments, Delafield WI 53018

PROJECT OR CONTRACT NO.  
3000

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE Sun Mon Tue Wed Thu Fri Sat	(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK
							FICA	WITH- HOLDING TAX	State with- holding tax	Medicare	OTHER	
Alex Driver - #####	2	Power Equipment Bull Dozer Group 2	18 19 20 21 22 23 24	2.00	\$62.83	\$1,422.84						
				27.50	\$132.1585	\$2,012.46	\$161.00	\$185.15	\$156.97	\$50.31	\$85.00	\$1,374.03
Jason Worker - #####	2	General Laborer		4.00	\$49.20	\$1,700.78	\$136.06	\$156.47	\$132.66	\$42.52		\$1,233.07
				40.00	\$23.19 1441	\$1,700.78						
Sharon Wood- #####	3	Carpenter		1.50	\$60.19	\$1,887.49	\$151.00	\$154.77	\$128.35	\$47.19		\$1,406.18
				40.00	\$30.52 1441	\$1,887.49						
Reggie Tree - #####	1	Apprentice Carpenter 1st 6 mo. at 40%			\$32.72	\$1,064.72	\$85.18	\$105.41	\$90.50	\$26.62		\$757.01
				40.00	\$12.21 1441	\$1,064.72						
Roy Wrench - #####	5	Plumber			\$67.88	\$1,004.80						\$1,004.80
				20.00	\$35.28 1496							
Roy Wrench - #####	5	Steamfitter			\$69.13	\$1,038.40	\$163.46	\$147.11	\$118.51	\$51.08		\$1,563.04
				20.00	\$34.41 1751	\$2,043.20						
Bart Turner - #####	1	Power Equipment Rotary Drill Group 4			\$60.80	\$719.28	\$115.14	\$142.48	\$122.33	\$35.98		\$1,023.27
				24.00	\$29.97	\$1,439.20						

Fringe benefits are not paid as cash to  
Bart Turner: explanation is included under  
"(c) exceptions" on signatory page.

While completion of Form WH-347 is required for all federal contractors and subcontractors, it is not required for non-federal contractors and subcontractors who are not required to furnish weekly a statement with respect to the wages paid each employee during the preceding week. U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require that each laborer or mechanic has been paid at least the minimum wage and overtime compensation.

We estimate that it will take approximately 15 minutes to complete this form. If you have any comments regarding this form, please contact the Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210.

This form is required for all federal contractors and subcontractors who are required to furnish weekly a statement with respect to the wages paid each employee during the preceding week. U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require that each laborer or mechanic has been paid at least the minimum wage and overtime compensation. Federal contractors and subcontractors receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

#### Burden Statement

This collection of information is not a burden on federal contractors and subcontractors. It is a requirement of the law. The collection of information is necessary for the U.S. Department of Labor to enforce the minimum wage and overtime laws. The collection of information is necessary for the U.S. Department of Labor to enforce the minimum wage and overtime laws. The collection of information is necessary for the U.S. Department of Labor to enforce the minimum wage and overtime laws.

(over)

Date 04/28/2010

I, Tiffany Payer Payroll Supervisor  
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by  
Sample Construction Company on the  
(Contractor or Subcontractor)  
Robin Street Apartments, Delafield WI; that during the payroll period commencing on the  
(Building or Work)  
18 day of 4, 2010, and ending the 24 day of 4, 2010,  
all persons employed on said project have been paid the full weekly wages earned, that no rebates have  
been or will be made either directly or indirectly to or on behalf of said  
Sample Construction Company from the full  
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly  
from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part  
3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948,  
63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

Alex Driver - #### - other deductions - \$85 for child support

Explanation of "other"

(2) That any payrolls otherwise under this contract required to be submitted for the above period are  
correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the  
applicable wage rates contained in any wage determination incorporated into the contract; that the  
classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide  
apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of  
Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a  
State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

- ☐ — in addition to the basic hourly wage rates paid to each laborer or mechanic listed in  
the above referenced payroll, payments of fringe benefits as listed in the contract  
have been or will be made to appropriate programs for the benefit of such  
employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

- ☒ — Each laborer or mechanic listed in the above referenced payroll has been paid,  
as indicated on the payroll, an amount not less than the sum of the applicable  
basic hourly wage rate plus the amount of the required fringe benefits as listed  
in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION
Power Equipment Rotary Drill Group 4	paid directly to plan: health & dental at \$12.50 per hour and Pension at \$6.25 per hour

Explanation of  
exception to fringe  
benefits

REMARKS:

NAME AND TITLE  
Robert Sample, Owner

SIGNATURE

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR  
SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE  
31 OF THE UNITED STATES CODE

## Record of Employee Interview

### U.S. Department of Housing and Urban Development Office of Labor Relations

OMB Approval No. 2501-0009  
(exp.01/31/2021)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. The information is collected to ensure compliance with the Federal labor standards by recording interviews with construction workers. The information collected will assist HUD in the conduct of compliance monitoring; the information will be used to test the veracity of certified payroll reports submitted by the employer. **Sensitive Information.** The information collected on this form is considered sensitive and is protected by the Privacy Act. The Privacy Act requires that these records be maintained with appropriate administrative, technical, and physical safeguards to ensure their security and confidentiality. In addition, these records should be protected against any anticipated threats or hazards to their security or integrity that could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom the information is maintained. **The information collected herein is voluntary, and any information provided shall be kept confidential.**

1a. Project Name <b>Fall County - Community Building</b>			2a. Employee Name																				
1b. Project Number <b>12345 CDBG 21</b>			2b. Employee Phone Number (including area code)																				
1c. Contractor or Subcontractor (Employer)			2c. Employee Home Address & Zip Code																				
			2d. Verification of identification? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>																				
3a. How long on this job? <b>3rd or 4th day</b>	3b. Last date on this job before today? <b>2/21/2020</b>	3c. No. of hours last day on this job? <b>8 hours</b>	4a. Hourly rate of pay? <b>13.00</b>	4b. Fringe Benefits? Vacation Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Medical Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Pension Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	4c. Pay stub? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>																		
5. Your job classification(s) (list all) --- continue on a separate sheet if necessary <b>Laborer</b>																							
6. Your duties <b>Rake &amp; Shovel Dirt/Sand</b>																							
7. Tools or equipment used <b>shovel &amp; rake</b>																							
<table><tr><td></td><td>Y</td><td>N</td><td></td><td>Y</td><td>N</td></tr><tr><td>8. Are you an apprentice or trainee?</td><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td><td>10. Are you paid at least time and ½ for all hours worked in excess of 40 in a week?</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>9. Are you paid for all hours worked?</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td>11. Have you ever been threatened or coerced into giving up any part of your pay?</td><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td></tr></table>							Y	N		Y	N	8. Are you an apprentice or trainee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. Are you paid at least time and ½ for all hours worked in excess of 40 in a week?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9. Are you paid for all hours worked?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Have you ever been threatened or coerced into giving up any part of your pay?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Y	N		Y	N																		
8. Are you an apprentice or trainee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. Are you paid at least time and ½ for all hours worked in excess of 40 in a week?	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
9. Are you paid for all hours worked?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Have you ever been threatened or coerced into giving up any part of your pay?	<input type="checkbox"/>	<input checked="" type="checkbox"/>																		
12a. Employee Signature			12b. Date <b>2/24/2020</b>																				
13. Duties observed by the Interviewer (Please be specific.) <b>Pulling a small level or compactor around on the ground by hand.</b>																							
14. Remarks <b>Duties observed conform to Laborer.</b>																							
15a. Interviewer name (please print) <b>CDBG Grant Administrator or County Employee</b>			15b. Signature of Interviewer		15c. Date of interview <b>2/24/2020</b>																		

### Payroll Examination

#### 16. Remarks

OK20190040 Building Rates dated 7/26/2019 show common laborer hourly rate at \$11.00/no fringe. The weekly payroll ending 2/26/2020 Payroll #9 reflects that the employee's hourly pay is \$13.00/no benefits.

17a. Signature of Payroll Examiner <b>CDBG Grant Administrator or County Employee</b>	17b. Date <b>3/2/2020 (will be dated after receiving the weekly payroll report)</b>
--	--

Previous editions are obsolete

Form HUD-11 (02/2019)



Example HUD-11 Form

<b>Record of Employee Interview Instructions</b>	<b>U.S. Department of Housing and Urban Development</b> <b>Office of Labor Relations</b>	OMB Approval No. 2501-0009 (exp. 10/31/2010)
--	---	---

## Instructions

### General:

This form is to be used by HUD and local agency staff for recording information gathered during on-site interviews with laborers and mechanics employed on projects subject to Federal prevailing wage requirements. Typically, the staff that will conduct on-site interviews and use this form are HUD staff and fee construction inspectors, HUD Labor Relations staff, and local agency labor standards contract monitors.

Information recorded on the form HUD-11 is evaluated for general compliance and compared to certified payroll reports submitted by the respective employer. The comparison tests the veracity of the payroll reports and may be critical to the successful conclusion of enforcement actions in the event of labor standards violations. The thoroughness and accuracy of the information gathered during interviews is crucial.

Note that the interview itself and the information collected on the form HUD-11 are considered confidential. Interviews should be conducted individually and privately. All laborers and mechanics employed on the job site must be made available for interview at the interviewer's request. The employee's participation, however, is voluntary. Interviews shall be conducted in a manner and place that are conducive to the purposes of the interview and that cause the least inconvenience to the employer(s) and the employee(s).

### Completing the form HUD-11

Items 1a - 1c: Self-explanatory

Items 2a – 2d: Enter the employee's full name, a telephone number where the employee can be reached, and the employee's home address. Many construction workers use a temporary address in the locality of the project and have a more permanent address elsewhere from which mail may be forwarded to them. Obtain a more permanent address, if available. Ask the employee for a form of identification (e.g., driver's license) to verify their name.

Items 3a – 4c: Enter the employee's responses. Ask the employee whether they have a pay stub with them; if so, determine whether the pay stub is consistent with the information provided by the employee.

Items 5 – 7: Be certain that the employee's responses are specific. For example, job classification (#5) must identify the trade involved (e.g., Carpenter, Electrician, Plumber) – responses such as "journeyman" or "mechanic" are not helpful for our purposes.

Items 8 – 12b: Self-explanatory

Items 13 – 15c: These items represent some of the most important information that can be gathered while conducting on-site interviews. Please be specific about the duties you observed the employee performing. It may be easiest to make these observations before initiating the interview. Please record any comments or remarks that may be helpful. For example, if the employee interviewed was working with a crew, how many workers were in the crew? Was the employee evasive?

The level of specificity that is warranted is directly related to the extent to which interview(s) or other observations indicate that there may be violations present. If interviews indicate that there may be underpayments involving a particular trade(s), the interviewer is encouraged to interview as many workers in that trade(s) that are available.

Items 16 – 17b: The information on the form HUD-11 may be reviewed for general compliance, initially. For example, are the job classification and wage rate stated by the employee compatible with the classifications and wage rates on the applicable wage decision? Are the duties observed by the interviewer consistent with the job classification?

Once the corresponding certified payroll reports are received, the information on the HUD-11 shall be compared to the payroll reports. Any discrepancies noted between the HUD-11 information and that on the payroll report shall be noted in Item 16, Remarks. If discrepancies are noted, follow-up actions to resolve the discrepancies must be taken.





Below is a snippet of the appropriate Wage Decision and what rate to look for when conducting payroll examination as highlighted on the previous slides. Please Note: the wage rate shows multiple laborer rates and no fringe, thus why it is important to review the weekly payrolls as well as conduct on-site visits and interviews as you may receive those payrolls that list General Laborer throughout when it is known that the project calls for a pipe layer and concrete work. In that case, more investigation with possible revisions to the payroll and restitution may be necessary.

	Base Rate	Fringes
LABORER: Common or General.....	\$ 11.00	0.00
LABORER: Mason Tender - Brick...	\$ 12.00	0.00
LABORER: Mason Tender - Cement/Concrete.....	\$ 13.04	0.00
LABORER: Pipelayer.....	\$ 11.65	0.00

<https://beta.sam.gov/>





# Labor Standards

- Violations

- Violations between \$100-\$1000 must be reported to ODOC
  - Require construction contract to provide supplemental payrolls to make restitution, retained a copy of canceled check
  - If construction contractor refuses to pay, sub-recipient must withhold funds to pay restitution
- If over \$1000 must be reported to DOL



# Progress Payments

- Upon receipt of requests for payment during construction, the UGLGs should check that labor standards compliance is being met.
- All weekly payrolls and Statements of Compliance have been received, reviewed and any discrepancies resolved; and
- Employee interviews have been conducted as necessary, checked against payrolls and the wage rate decisions, and all discrepancies corrected.
- Although retainage is not a requirement, many UGLSs have found it helpful to maintain 5 percent retainage from partial payments until after final inspection, in case of any unresolved problems.

# Final Payment

When construction work has been completed, the contractor will submit a final request for payment.

Before making final payment, the UGLG must ensure that:

1. All Weekly Payroll and Statements of Compliance have been received and any discrepancies have been resolved;
2. All discrepancies identified through job site interviews have been resolved; and
3. All files are complete including Section 3 and final wage compliance reports.

# Monitoring & Closeout Requirement 409



# Monitoring

What initiates a Monitoring?

Risk Assessment

Percent of Funds  
Expended - 50-60%

Timeframe since last  
monitoring

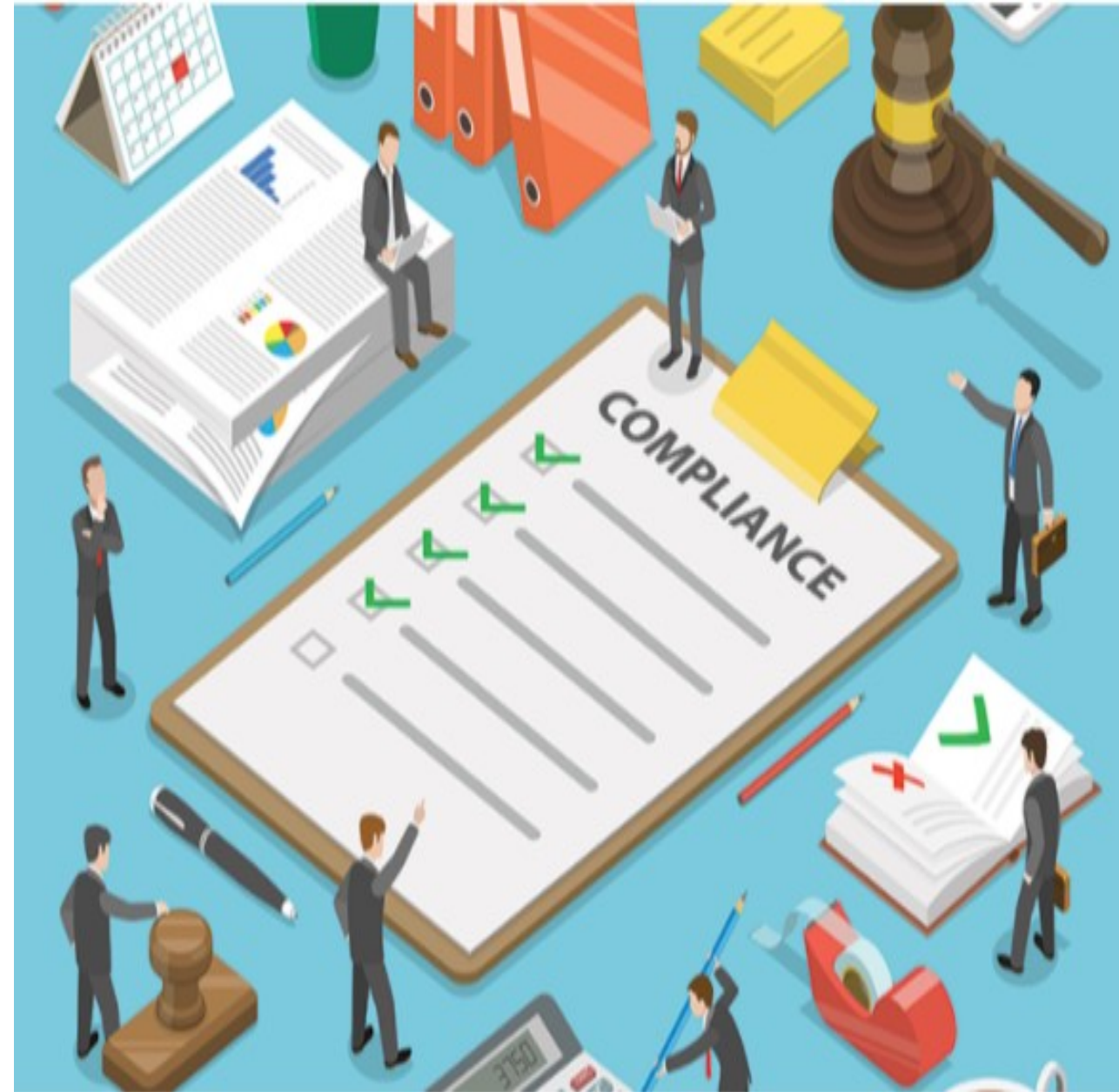
Closeout in Process

# What are the types of monitoring's

- Desk Monitoring
  - Town is given 2-3 weeks to provide ODOC with accurate documentation of their CDBG Grant.
    - More condense then on sight monitoring.
  - Files are audited at ODOC office.
- On site Monitoring
  - ODOC on site to review Grant recipients Grant Documents.
  - Within **thirty (30) days** of the monitoring visit, the Grant Recipient will receive a formal monitoring result(s) letter through OKGrants. This letter will summarize the area(s) reviewed, performance expectations, an analysis of what was discovered on-site, a conclusion or finding and, if necessary, required Grant Recipient responses or actions.
- Monitoring waiver
  - Not all contracts are monitored each year.
  - Previous monitoring and Grant Administrators performance are factored when waived.



- ALL MONITORINGS ARE DESK MONITORINGS UNTIL FURTHER NOTICE
- MONITORING TOOL IS ATTACHED WITH THE NOTIFICATION LETTER
- EMAIL SUPPORTING DOCUMENTATION TO ASSIGNED PROJECT MANAGER





OKLAHOMA  
Commerce

900 N. Stiles Avenue  
Oklahoma City, OK 73104, USA  
405-815-8552 | Toll Free 800-588-5959  
OKCOMMERCE.GOV

November 13, 2020

[REDACTED] Mayor  
City of Anadarko  
501 W. Virginia  
Anadarko, OK 73005-0647

RE: Desk Monitoring  
17506 CDBG 19

Dear Mayor [REDACTED]:

This letter serves as a notification that Christy Davis from the Oklahoma Department of Commerce has scheduled a Desk Monitoring of your CDBG W/S Construction contract on November 30, 2020. Your grant administrator, [REDACTED] has been notified and is aware of the necessary documents that should be available for this monitoring. Attached you will find desk monitoring tool that needs to be completed, signed and documents will need to be emailed to [Christy.Davis@okcommerce.gov](mailto:Christy.Davis@okcommerce.gov) no later than December 24, 2020.

Please contact Christy Davis at 405-215-5395 if you have any questions or concerns.

Sincerely,

[REDACTED]  
Alicia Hibbets, Director of Programs, Monitoring  
Community Development Division

Cc: [REDACTED]  
[REDACTED]

- CREATED FROM ON-SITE MONITORING TOOL
- EACH SECTION NEEDS TO BE ANSWERED BY THE CITY/TOWN/COUNTY AND SIGNED BY AUTHORIZED OFFICIAL
- SIX SECTIONS – FINANCIAL INFORMATION, PROCUREMENT, CONSTRUCTION CONTRACTS, CITIZENS PARTICIPATION, EQUAL OPPORTUNITY/CIVIL RIGHTS & FAIR HOUSING
- CHECK BOXES – DOCUMENTS THAT NEED TO BE SUBMITTED



900 N. Stiles Avenue  
Oklahoma City, OK 73104, USA  
405-815-5251 | Toll Free 800-588-5959  
OKCOMMERCE.GOV

### Community Development Block Grant Desk Monitoring Checklist

Grantee: \_\_\_\_\_  
Contract #: \_\_\_\_\_  
Due Date: \_\_\_\_\_

In the following sections, the Grantee will need to check each item as applicable to their project and answer each question. Items that are checked will need to be emailed to your project manager \_\_\_\_\_ at \_\_\_\_\_ to complete your CDBG Desk Monitoring.

#### Financial Information (Upload Documents)

CDBG Grant Funds: \_\_\_\_\_

Leveraged Funds: \_\_\_\_\_

Leveraged Funds Source: (Town/City/County) \_\_\_\_\_

- ☐ General CDBG Ledger to include match
- ☐ Purchase Orders/Board authorized payments in accordance to 11 O.S. 17-102
- ☐ Non-collusion affidavit for payments of \$25,000.00 provided by the Vendor
- ☐ Invoices
- ☐ Cancelled Checks – including leverage funds
- ☐ Davis Bacon Payroll Sheets – All weeks (including sub-contractors)
- ☐ Employee Interview Sheets – 10% of each classification on project
- ☐ Change Orders
- ☐ Board Minutes of Meetings approving Purchase Orders, Invoices pertaining to above referenced contract.
- ☐ IN-KIND Leverage – Volunteer Time Sheets, Written log of each day equipment was used with hours
- ☐ Inter-Local agreement

- Who maintains the General Ledger? (Name & Title) \_\_\_\_\_
- Is the CDBG funds kept in a separate account from other funding? ☐ Yes ☐ No
- Are Bank Statements Reconciliations performed? ☐ Yes ☐ No  
if yes, who performs this duty? (Name & Title) \_\_\_\_\_
- Are separate persons performing bank statement reconciliations and accounting duties? ☐ Yes ☐ No
- Are any municipal/county employees paid with CDBG funds? ☐ Yes ☐ No  
\*If yes please provide copies of employee time sheets to ODOC.
- Is city/county equipment used on the project paid for with CDBG funds? ☐ Yes ☐ No

# Community Development Block Grant Desk Monitoring Checklist

Grantee: \_\_\_\_\_

Contract #: \_\_\_\_\_

Due Date: \_\_\_\_\_

In the following sections, the Grantee will need to check each items as applicable to their project and answer each question. Items that are checked will need to be emailed to your project manager

\_\_\_\_\_ at \_\_\_\_\_ to complete your CDBG Desk Monitoring.

- GRANTEE
- CONTRACT #
- DUE DATE
- ASSIGNED PROJECT MANAGER & EMAIL ADDRESS LISTED



**Financial Information** (Upload Documents)

CDBG Grant Funds:

Leveraged Funds:

Leveraged Funds Source: (Town/City/County)

- ☐ General CDBG Ledger to include match
- ☐ Purchase Orders/Board authorized payments in accordance to 11 O.S. 17-102
- ☐ Non-collusion affidavit for payments of \$25,000.00 provided by the Vendor
- ☐ Invoices
- ☐ Cancelled Checks – including leverage funds
- ☐ Davis Bacon Payroll Sheets – All weeks (including sub-contractors)
- ☐ Employee Interview Sheets – 10% of each classification on project
- ☐ Change Orders
- ☐ Board Minutes of Meetings approving Purchase Orders, Invoices pertaining to above referenced contract.
- ☐ IN-KIND Leverage – Volunteer Time Sheets, Written log of each day equipment was used with hours
- ☐ Inter-Local agreement

1. Who maintains the General Ledger? (Name & Title) \_\_\_\_\_
2. Is the CDBG funds kept in a separate account from other funding?    ☐ Yes    ☐ No
3. Are Bank Statements Reconciliations performed?    ☐ Yes    ☐ No  
If yes, who performs this duty? (Name & Title) \_\_\_\_\_
4. Are separate persons performing bank statement reconciliations and accounting duties?  
☐ Yes    ☐ No
5. Are any municipal/county employees paid with CDBG funds?    ☐ Yes    ☐ No  
\*If yes please provide copies of employee time sheets to ODOC.
6. Is city/county equipment used on the project paid for with CDBG funds?    ☐ Yes    ☐ No

August 1, 2020



### Procurement (Upload Documents)

- ☐ Grant Administrator contract along with the Direct Solicitation Proposals or Advertisement Proposal.
- ☐ Engineering Contract along with the Direct Solicitation Proposals or Advertisement Proposal or Sealed Bids
- ☐ Architect Contract along with the Direct Solicitation Proposals or Advertisement Proposal or Sealed Bids

### Construction Contract (s) (Upload Documents)

- ☐ Bid Advertisements
- ☐ Bids Tabulations
- ☐ Bid Packet Document – awarded bidder's bid documents to include bid, bonding, insurance and affidavits
- ☐ Board Minutes of Meetings in relation to selection and award of contracts
- ☐ Pre-Construction Conference Report
- ☐ Written Section 3 Plan – if over \$100,000
- ☐ Change Orders – Board approved
- ☐ Change of Scope

**Citizen Participation** (Upload Documents)

1. Public Hearing Notice – ☐ Application ☐ Closeout
2. Public Hearing Minutes – ☐ Application ☐ Closeout
3. Public Hearing Attendance Sheet – ☐ Application ☐ Closeout
4. Were all public hearings accessible to handicapped? ☐ Yes ☐ No
5. Were more than 15% of attendees non-English speaking? ☐ Yes ☐ No
6. Interpreter Provided? ☐ Yes ☐ No
7. Have any written complaints been received and was there action taken? ☐ Yes ☐ No

Comment:

**Equal Opportunity/Civil Rights** (Provide answers & Upload Documents)

1. How many full time employees? 
  - a. If 10 full time employees or more, is there a Personnel Policy in place? ☐ Yes ☐ No
  - b. If Yes – Please upload document in OKgrants.
2. If so, does Policy and Job application include EO statement to include all groups? (Mental/Physical Handicap – Age – Sex – Race – Religion – National Origin) ☐ Yes ☐ No
3. Have any EEO complaints been filed against the City? ☐ Yes ☐ No

Fair Housing (Provide answers & Upload Documents)

1. Does City have an Ordinance or Resolution? ☐ Yes ☐ No Date passed
2. Have any complaints been received? ☐ Yes ☐ No
3. Identify steps to further Fair Housing:

August 1, 2020

- 
4. Were CDBG funds expended for further fair housing? ☐ Yes ☐ No

Comments:

The City ensures that the above information is correct and that the files and all related documents (Requirement 401, V. Records and Attachment 5 of the CDBG Contractor's Implementation Manual) are in place and will be maintained for three years after project closeout.

A light blue rectangular box used for redaction, covering the signature of the Mayor or Clerk. A small red tab is visible on the left side of the box.

Signature (Mayor or Clerk)

A light blue rectangular box used for redaction, covering the date.

Date

Financial Information (Upload Documents)

CDBG Grant Funds:

Leveraged Funds:

Leveraged Funds Source: (Town/City/County)

- ☐ General CDBG Ledger to include match
- ☐ Purchase Orders/Board authorized payments in accordance to 11 O.S. 17-102
- ☐ Non-collusion affidavit for payments of \$25,000.00 provided by the Vendor
- ☐ Invoices
- ☐ Cancelled Checks – including leverage funds
- ☐ Davis Bacon Payroll Sheets – All weeks (including sub-contractors)
- ☐ Employee Interview Sheets – 10% of each classification on project
- ☐ Change Orders
- ☐ Board Minutes of Meetings approving Purchase Orders, Invoices pertaining to above referenced contract.
- ☐ IN-KIND Leverage – Volunteer Time Sheets, Written log of each day equipment was used with hours
- ☐ Inter-Local agreement



1. Who maintains the General Ledger? (Name & Title) \_\_\_\_\_
2. Is the CDBG funds kept in a separate account from other funding?    ☐ Yes    ☐ No
3. Are Bank Statements Reconciliations performed?    ☐ Yes    ☐ No  
If yes, who performs this duty? (Name & Title) \_\_\_\_\_
4. Are separate persons performing bank statement reconciliations and accounting duties?  
☐ Yes    ☐ No
5. Are any municipal/county employees paid with CDBG funds?    ☐ Yes    ☐ No  
\*If yes please provide copies of employee time sheets to ODOC.
6. Is city/county equipment used on the project paid for with CDBG funds?    ☐ Yes    ☐ No

August 1, 2020



### Procurement (Upload Documents)

- ☐ Grant Administrator contract along with the Direct Solicitation Proposals or Advertisement Proposal.
- ☐ Engineering Contract along with the Direct Solicitation Proposals or Advertisement Proposal or Sealed Bids
- ☐ Architect Contract along with the Direct Solicitation Proposals or Advertisement Proposal or Sealed Bids

### Construction Contract (s) (Upload Documents)

- ☐ Bid Advertisements
- ☐ Bids Tabulations
- ☐ Bid Packet Document – awarded bidder's bid documents to include bid, bonding, insurance and affidavits
- ☐ Board Minutes of Meetings in relation to selection and award of contracts
- ☐ Pre-Construction Conference Report
- ☐ Written Section 3 Plan – if over \$100,000
- ☐ Change Orders – Board approved
- ☐ Change of Scope

**Citizen Participation** (Upload Documents)

1. Public Hearing Notice – ☐ Application ☐ Closeout
2. Public Hearing Minutes – ☐ Application ☐ Closeout
3. Public Hearing Attendance Sheet – ☐ Application ☐ Closeout
4. Were all public hearings accessible to handicapped? ☐ Yes ☐ No
5. Were more than 15% of attendees non-English speaking? ☐ Yes ☐ No
6. Interpreter Provided? ☐ Yes ☐ No
7. Have any written complaints been received and was there action taken? ☐ Yes ☐ No

Comment:

**Equal Opportunity/Civil Rights** (Provide answers & Upload Documents)

1. How many full time employees? 
  - a. If 10 full time employees or more, is there a Personnel Policy in place? ☐ Yes ☐ No
  - b. If Yes – Please upload document in OKgrants.
2. If so, does Policy and Job application include EO statement to include all groups? (Mental/Physical Handicap – Age – Sex – Race – Religion – National Origin) ☐ Yes ☐ No
3. Have any EEO complaints been filed against the City? ☐ Yes ☐ No

Fair Housing (Provide answers & Upload Documents)

1. Does City have an Ordinance or Resolution? ☐ Yes ☐ No Date passed
2. Have any complaints been received? ☐ Yes ☐ No
3. Identify steps to further Fair Housing:

August 1, 2020

- 
4. Were CDBG funds expended for further fair housing? ☐ Yes ☐ No

Comments:

The City ensures that the above information is correct and that the files and all related documents (Requirement 401, V. Records and Attachment 5 of the CDBG Contractor's Implementation Manual) are in place and will be maintained for three years after project closeout.

A light blue rectangular box used for redaction, covering the signature of the Mayor or Clerk. A small red tab is visible on the left side of the box.

Signature (Mayor or Clerk)

A light blue rectangular box used for redaction, covering the date.

Date

# Procurement Professional Services

## 1. Procurement Professional Services

### 1. Grant Administrator procurement used

A. Signed contract

### 2. Engineer Procurement

A. Signed contract



# Environmental

---

- Environmental
  - Environmental review form/s
    - \*58.5
  - Agency Letter
    - Historical
    - Archaeological
  - 100 year flood plain info
    - Early Publication
    - Notice of Explanation date
    - Written justification





# Citizen Participation Plan

- Citizen Participation Plan
  - Public Hearings/ Notices
  - Posting/ Publishing documentation
  - Sign in sheet
  - Minutes

# Civil Rights

- Civil Rights
  - Agency personnel policies
    - (if over 10 full time employees)
  - Questions from Equal Opportunity page
    - Did employment data indicate possible deficiencies in providing employment opportunities to any group?
    - Were Training and employment opportunities made available to lower income residents?

# Fair Housing

- Ordinance Vs. Resolution
  - Ordinance
    - Laws passed in Code Book
  - Resolution
    - Action go before City Council
      - Only good for one year
- Affirmative Action Steps to Further Fair Housing
  - [www.hud.gov/fairhousing](http://www.hud.gov/fairhousing)



Land  
Acquisition/Disposition

- Land Acquisition/Disposition
  - Requires pre discussion before monitoring

# Construction Contract

- Construction Contract
  - A. Bid Advertisements
    - A. Check for dates published, bid opening, and Federal regulation
    - B. Notice of Award, date, and amount
    - C. Date of 10 day call
    - D. DEQ Permits
    - E. Contractors Completed Section 3 plan (if over 100k)
    - F. Pre-Construction conference
      - A. Sign in sheet
      - B. Agenda
      - C. Minutes
  - G. Change orders
    - 1. Type of Bid, Lump sum or line item.
    - 2. Amount. Does it require bidding?
  - H. Change in Scope
    - 1. Request with reason for change
    - 2. ODOC approval
  - I. Bid Documents with Fed Regulation
  - J. Affirmative Action Steps
    - 1. Check for affirmative action steps
      - 1. Contact small, minority, and women owned businesses.

# Payroll

- Payroll
  - A. Number of Contractor
    - A. Including sub contractors
  - B. Copies of all Certified weekly payrolls.
    - A. For both main contractor and sub
    - B. Signature
    - C. Payroll examiner
    - D. Authorization forms
      - i. Payroll Deduction Authorization
      - ii. Certificate From Contractor Appointing Officer or Employee to Supervise Payment of Employees
  - C. Interviews
    - A. Both sub and main contractor
    - B. Person conducting interviews
    - C. 3 different interviews

- Payroll
  - D. Date of 10 day call
  - E. Wage Decision Rate



# Record keeping

- ODOC has to ensure HUD your records contain the follow:
  - Application file
  - Environmental review
  - Property Acquisition
  - Construction/Labor
  - Rehabilitation
  - State Monitoring
  - Equal opportunity
  - Fair Housing
- Closeout report
  - ODOC Contact
  - Professional services contract
  - Relocation
  - Financial
  - Citizens Participation
  - Audits
  - Personnel
  - Civil Rights
  - Files maintained by grant recipient

# On-Site Monitoring's

- Entrance meeting are required for all on sight Monitoring's.
  - Entrance meeting will require the follow people associated with the CDBG Grant.
  - Present
    - ODOC personnel
    - Grant Administrator
    - Authorized official (recommended)
    - Town personnel
      - (clerk, financial officer, etc...)



# Purpose?

- The purpose of the entrance meeting is to get everyone associated with the CDBG grant in the know about hold ups and current status of project.
  - We need all team members at the table.
  - Face to face communication
  - Concerns are brought up early
  - Problems are identified before closeout

# Exit Conference



Who should be  
present?

Town  
representative



Discuss problems identified

# Closeout

## PROJECT COMPLETION

Closeout documents are to be uploaded into OKGrants within sixty (60) days after the contract expiration date or completion of the project.

Project must be monitored before project is closed.

If you need additional time to closeout project, please submit Contract Modification.

- Particularly important if you expect to receive another invoice after contract expiration
- Contract Extension must be submitted by Authorized Official.
  - This includes signing the contract extension in OkGrants

# Required Documentation

## CDBG Closeout Checklist

### Proof Second Public Hearing

- Must be posted at 3 different addresses
- Must have sign-in sheet even if blank

### Section 3 Report (if construction contract over \$100,000)

### Final Wage Compliance Report – Must be signed by AO

### Proof of Insurance – If above ground

### Engineer/Architect Completion Report

### Signed Board Minutes or Closeout Resolution

- Be sure to include brief description of project and CDBG contract #



# ODOC CDBG Closeout Checklist

- Checklist is used to help make sure all required documents are submitted

CDBG CLOSEOUT CHECKLIST	
<i>Please complete form and upload in OkGrants with required closeout documents</i>	
1. PROOF OF SECOND PUBLIC HEARING	
<input type="checkbox"/>	Notice of Second Public Hearing: If posted, must be posted in three separate addresses and acknowledged on the notice. Include CDBG contract number and brief description of project and signature from clerk.
<input type="checkbox"/>	Signed copy of the hearing minutes
<input type="checkbox"/>	Sign in sheet
2. FINAL WAGE COMPLIANCE REPORT	
<input type="checkbox"/>	Signed by Authorized Official
3. PROOF OF INSURANCE	
<input type="checkbox"/>	Only needed for above-ground facilities built or renovated and/or equipment purchased with the assistance of CDBG funds.
4. FINAL INSPECTION REPORT AND/OR FINAL ENGINEERING REPORT	
<input type="checkbox"/>	Final Inspection or Engineering Report is required to be submitted as proof that the project is complete and acceptable.
5. SECTION 3 SUMMARY REPORT	
<input type="checkbox"/>	Required as proof for your attempts to comply with Section 3.
6. BOARD MINUTES OR RESOLUTION	
<input type="checkbox"/>	Board Minutes to acknowledge that the project is complete and that all final costs have been incurred or obligated to make final payment to contractor
<input type="checkbox"/>	Resolution to acknowledge that the project is complete and that all final costs have been incurred or obligated to make final payment to contractor
The above list was certified as complete and adopted at the meeting of the _____ held on _____	
Authorized Official	Date

# SECTION 3 SUMMARY REPORT

## PAGE 1 – Part I: #3 Total Amount of Award

- CDBG CONTRACT AMOUNT

### Section 3 Summary Report

Economic Opportunities for  
Low – and Very Low-Income Persons

U.S. Department of Housing  
and Urban Development  
Office of Fair Housing  
And Equal Opportunity

OMB Approval No: 2529-0043  
(exp. 11/30/2010)

HUD Field Office:

Section back of page for Public Reporting Burden statement

1. Recipient Name & Address: (street, city, state, zip) Town of Carmen 421 Main St / PO Box 98 Carmen, OK 73726	2. Federal Identification: (grant no.) 17532 CDBG 2019	3. Total Amount of Award: \$274,834.00
	4. Contact Person Sheryl Gahr - Clerk	5. Phone: (Include area code) 580-987-2321
	6. Length of Grant: 8/13/19 - 8/12/21	7. Reporting Period: October 14, 2020
8. Date Report Submitted: October 14, 2020	9. Program Code: (Use separate sheet for each program code) 8	10. Program Name: CDBG

# SECTION 3 SUMMARY REPORT

PAGE 2 – Part II:  
1.A. Total dollar  
amount of all  
contracts awarded  
on the project.

CDBG & LEVERAGE  
amount spent on  
Construction

PAGE 2 – Part II:  
2.A. Total dollar  
amount of all non-  
construction  
contracts awarded  
on the project.

ALL CDBG &  
LEVERAGE total  
amounts spent on  
non-construction.

## Part II: Contracts Awarded

### 1. Construction Contracts:

A. Total dollar amount of all contracts awarded on the project	\$ 448,567.47
B. Total dollar amount of contracts awarded to Section 3 businesses	\$
C. Percentage of the total dollar amount that was awarded to Section 3 businesses	%
D. Total number of Section 3 businesses receiving contracts	

### 2. Non-Construction Contracts:

A. Total dollar amount all non-construction contracts awarded on the project/activity	\$ 64,256.57
B. Total dollar amount of non-construction contracts awarded to Section 3 businesses	\$
C. Percentage of the total dollar amount that was awarded to Section 3 businesses	%
D. Total number of Section 3 businesses receiving non-construction contracts	

# SECTION 3 SUMMARY REPORT

## PAGE 2 – Part III: Summary

Indicate the effort made to direct the employment and other economic opportunities generated by HUD financial assistance for housing and community development programs.

CHECK ALL THAT APPLY – Four options

- **4<sup>th</sup> option has to give a description**

# COMMON ISSUES





# COMMON ISSUES

---

1. NOTICE OF AWARD
2. CONTRACT MODIFICATION REQUEST
3. BOARD MEETING MINUTES
4. OKGrants CONTRACT SIGNATURES
5. SITE VISITS
6. GENERAL LEDGER “SAMPLE”  
WORKSHEET
7. ODOC REVIEW COMMITTEE





# NOTICE OF AWARD

A large orange circle occupies the left side of the slide, partially cut off by the edge.

# NOTICE OF AWARD

**AWARDING YOUR CONSTRUCTION  
CONTRACT AT A HIGHER COST THAN WHAT IS  
BUDGETED IN THE DETAIL LINE ITEM  
BUDGET.**





## EFFECTS

**Expenditures**

**Closeout  
Documents**

- **Section 3 Summary Report**
- **Final Wage Compliance Report**

The image features a white rectangular area in the center, surrounded by yellow bars. On the left, there are two vertical yellow bars of different heights. On the top right, there is a horizontal yellow bar. On the bottom right, there is another horizontal yellow bar. The text is centered within the white area.

FOUR THINGS HAVE TO  
HAPPEN

# 1. SUBMIT CONTRACT MODIFICATION REQUEST



**Select Type of Modification**



**Detailed Description of reason  
for the change including dollar  
amounts listed.**



## 2. LETTER OF REQUEST

**Detailed letter from the Town/City/County requesting the modification.**

**Has to be on Letterhead**

**Has to be signed by Mayor or Commissioner**

### 3. LEVERAGE CERTIFICATION FORM



Update bottom portion of  
the Leverage Certification  
form showing the  
Amended Leverage/Match  
Amounts.

Signed by  
Mayor or  
Commissioner

## 4. DETAILED BUDGET & SUMMARY

- **Once ODOC approves modification, the status will change to Modification in Process.**
- **Update the Detailed Line Item Budget. Remember to “SAVE”.**
- **Budget summary page – click save button.**
- **Submit back to ODOC**





# CONTRACT MODIFICATION REQUEST

**CONTRACT  
EXTENSION**

**OR**

**BUDGET  
MODIFICATION**



# CONTRACT EXTENSION

- **Select Change in Contract Date**
- **Detailed Description of reason for the change along with Month, Date, & Year that you would like to extend to.**
- **Upload Letter of Request**
  - **Letterhead**
  - **Details in the letter along with date**
  - **Signed by Mayor/Commissioner**
- **Submit**



# BUDGET MODIFICATION

## STEP 1

Select Budget Revision

Detailed Description of reason for the change along with dollar amounts and who is covering.

Upload Letter of Request

Leverage Certification Form

Submit

# BUDGET MODIFICATION

## STEP 2

- Once ODOC approves modification, the status will change to Modification in Process.
- Update the Detailed Line Item Budget. Remember to “SAVE”.
- Budget summary page – click save button.
- Submit back to ODOC



# BOARD MEETING MINUTES

---

# BOARD MEETING MINUTES

- **CDBG Contract will need to be specifically written out when the board is approving items for the contract.**

# OKGRANTS CONTRACT SIGNATURES

---

# OKGRANTS CONTRACT SIGNATURES

**Contact information**

**Authorized Officials**

**City/Town/County Clerk  
Signature – Board Approved**

# OKGRANTS CONTRACT SIGNATURES

## Authorized Official

- Updated with current email addresses
- Each AO has to have their own log in



# OKGRANTS CONTRACT SIGNATURES



**City/Town/County Clerk  
Signature**



**Board meeting minutes  
approving the clerk to  
sign/submit document on  
behalf of the AO/Community**

# SITE VISITS

---





# SITE VISITS

Communication via  
email verifying dates  
for all parties  
availability



Formal notification letter  
sent confirming date of  
monitoring.



Be Prepared.  
City/Town/County must  
have all documentation  
on-site.

# SITE VISITS

## **Not Prepared for Monitoring**

- **Regardless if Grant Administrator just took over project, all documents should be available at City/Town/County.**
- **Rescheduled monitoring**
- **City/Town/County may be required to bring all documents to ODOC for on-site visit.**

# GENERAL LEDGER “SAMPLE” WORKSHEET

# GENERAL LEDGER “SAMPLE” WORKSHEET

**Signed by Mayor/Commissioner or  
Treasurer**

**All expenses have to be able to be  
traceable**

**Worksheet does not replace General  
Ledger**

# ODOC REVIEW COMMITTEE



# ODOC REVIEW COMMITTEE

**Expired Contract**

**Contract is idle**

**Disallowable Costs**

**Falsified Documents/Dates/Signatures**

# Who is the ODOC Review Committee?





# ODOC Review Committee Outcomes

---



SPECIAL CONDITIONS  
ADDED TO CONTRACT.



DE-OBLIGATION

# Overview & Questions

